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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

KHALID MOHAMMAD,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT,

Defendant.

Case No. 2:17-cv-02389-APG-NJK

ORDER ON REPORT AND RECOMMENDATION

(ECF. No. 3)

On September 19, 2017, Magistrate Judge Koppe entered a report and recommendation that I dismiss this case with prejudice because plaintiff Khalid Mohammad alleges nothing more than that he has was a pretrial detainee, despite this court advising him several times in other cases that his allegations were insufficient. ECF No. 3. Mohammad objects, arguing he was detained for eight months even though he was actually innocent and the charges were dropped.

I conducted a de novo review. 28 U.S.C. § 636(b)(1). Judge Koppe sets forth the proper legal analysis and factual basis for the decision. As Mohammad has been informed numerous times in other cases, the mere fact that he was a pretrial detainee who allegedly was innocent of the crime charged does not state a claim absent allegations that the defendants violated the Constitution or applicable statutory requirements. *Bell v. Wolfish*, 441 U.S. 520, 534 & n.15 (1979). Mohammad makes no such allegations.

IT IS THEREFORE ORDERED that Judge Koppe's report and recommendation **(ECF No. 3) is accepted**. Plaintiff Khalid Mohammad's complaint is DISMISSED with prejudice.

DATED this 5th day of December, 2017.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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