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 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 GHASSAN HOUBOUS BOUARI,

13 Plaintiff,

14 v.

15 CHARLES RO; DENNIS LAO;  
 16 DOE INDIVIDUALS 1-20,

17 Defendants.

CASE NO. 18-CV-00219-JCM-PAL

**UNOPPOSED MOTION FOR LEAVE  
 TO FILE FIRST AMENDED  
 COMPLAINT**

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1 Plaintiff Ghassan Housbous, through his attorneys, Benjamin C. Durham  
2 and Eugene Iredale, moves for leave to file the first amended complaint. The first  
3 amended complaint is in response to the government's 12(b)(6) motion to dismiss  
4 the *Bivens* causes of action. The Plaintiff has elected not to proceed on two of the  
5 original four *Bivens* causes of action originally alleged: the *Bivens* claims for Equal  
6 Protection and Due Process Violation (originally denominated Count II) and for  
7 Unlawful Search and Seizure of Property and Belongings (originally denominated  
8 Count III). The *Bivens* claims for Malicious Prosecution and Fabrication of  
9 Evidence (originally Count I) and Unlawful Seizure of the Person (originally  
10 Count IV) have been converted to a single cause of action which specifies the  
11 Constitutional harm (seizure and detention without probable cause) accomplished  
12 through the means of fabrication of evidence and malicious prosecution. Counsel  
13 for the defendants, Siegmund Fuchs, has been consulted and has no opposition to  
14 this motion.

15 Plaintiff files this amended complaint in lieu of an opposition to the 12(b)(6)  
16 motion.

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19 Respectfully Submitted,

20 **IREDALE AND YOO, APC**

21 *s/ Eugene Iredale*

22 EUGENE IREDALE  
23 Attorney for Plaintiff  
24 Ghassan Housbous Bouari

25 ORDER

26 IT IS ORDERED that plaintiff's motion is GRANTED as unopposed. LR 7-2(d). The  
27 Clerk of Court is kindly directed to detach and separately docket plaintiff's complaint  
(ECF No. 29-1).

28 **IT IS SO ORDERED**

**DATED:** 12:16 pm, December 29, 2020

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**BRENDA WEKSLER**  
**UNITED STATES MAGISTRATE JUDGE**