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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TERRELL YOUNG,

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Plaintiff,

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3:07-cv-00517-LRH (VPC)

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v.

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E. K. McDANIEL, et al.,

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O R D E R

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Defendants.

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Before this court are two Report and Recommendations of U.S. Magistrate Valerie P. Cooke:

1. Document #36<sup>1</sup> entered on December 16, 2008, recommending granting Defendants' Motion for Partial Summary Judgment (#26) filed on July 29, 2008; and

2. Document #37 entered on December 16, 2008, recommending granting Defendant's Motion to Dismiss Counts 12, 15, 22, and 45 (#24) filed on July 29, 2008. Plaintiff filed his Objections to Magistrate Judges Report and Recommendations (#38) on January 7, 2009, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada

The Court has conducted its *de novo* review in this case, has fully considered the objections

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<sup>1</sup>Refers to court's docket number.

1 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record  
2 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate  
3 Judge's Report and Recommendation (#36) and Report and Recommendation (#37), each entered on  
4 December 16, 2008, should be adopted and accepted.

5 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation  
6 (#36) entered on December 16, 2008, is adopted and accepted, and Defendants' Motion for Partial  
7 Summary (#26) is GRANTED.

8 IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation  
9 (#37) entered on December 16, 2008, is adopted and accepted, and Defendants' Motion to Dismiss  
10 Counts 12, 15, 22, and 45 (#24) be GRANTED and the action be dismissed without prejudice.

11 The Clerk of the Court shall enter judgment accordingly.

12 IT IS SO ORDERED.

13 DATED this 12<sup>th</sup> day of February, 2009.



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15 LARRY R. HICKS  
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17 UNITED STATES DISTRICT JUDGE  
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