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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \* \*

ELISANDRO MENDOZA	)	
	)	
Plaintiff,	)	3:09-cv-00717-LRH-VPC
	)	
v.	)	
	)	<u>ORDER</u>
STEFANIE HUMPHREY, et al.,	)	
	)	
Defendants.	)	
_____	)	

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#40<sup>1</sup>) entered on January 25, 2011, recommending granting Defendants' Motion to Dismiss (#26) filed on September 2, 2010. Plaintiff did not file an objection.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#40) entered on January 25, 2011, should be adopted and accepted.

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

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation  
2 (#40) entered on January 25, 2011, is adopted and accepted, and Defendant's Motion to Dismiss (#26)  
3 is GRANTED.

4 IT IS SO ORDERED.

5 DATED this 23rd day of February, 2011.



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9 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

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