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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH J. SCHIRO,
Plaintiff,
v.
STEPHEN CLARK, *et al.*,
Defendant.

3:10-CV-00203-RCJ-VPC

ORDER

Before the Court is the Report and Recommendation (#111) entered on January 14, 2013. Plaintiff filed Objections to Magistrate Judge's Report and Recommendation and/or Motion for Reconsideration (#112) on February 4, 2013.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiffs, 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 district court may accept, reject, or modify in whole or in part, the findings and recommendations made by the magistrate judge. Fed. R. Civ. P. 72(b). The Court determines that the Magistrate Judge's Report and Recommendation (#111) entered on January 14, 2013 is adopted and accepted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#111) is ADOPTED and ACCEPTED.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (#92) is GRANTED in part and DENIED in part as follows:

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is GRANTED as to Plaintiff's First Amendment retaliation claim.

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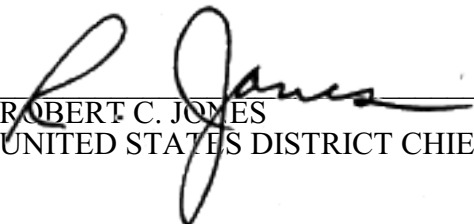
1 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is DENIED as
2 to Plaintiff's Fourteenth Amendment due process claims.

3 IT IS FURTHER ORDERED that Defendants' LeGrand and Palmer are DISMISSED from this
4 action, as they were sued in their official capacities only.

5 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is GRANTED
6 as to Plaintiff's supervisory liability claims.

7 IT IS SO ORDERED.

8 DATED: this 11th day of March, 2013.

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11 ROBERT C. JONES
12 UNITED STATES DISTRICT CHIEF JUDGE
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