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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

HOUSTON POWELL,

Plaintiff,

vs.

GREGORY SMITH, et al.,

Defendants.

) Case No. 3:10-cv-00619-ECR-RAM

) ORDER

On June 16, 2011, the Magistrate Judge filed a Report and Recommendation (#31) recommending that Defendants' Motion to Dismiss (#26) be GRANTED. No objections were filed to the Report and Recommendation. It is undisputed that Plaintiff failed to exhaust the administrative remedies and grievance procedures.

THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation (#31) is well taken, approved and adopted.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss (#26) is GRANTED.

The Clerk shall enter Judgment accordingly.

Dated this 4<sup>th</sup> day of August 2011.



EDWARD C. REED, JR.  
United States District Judge