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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|--------------------------------|---|-----------------------|
| COUNTRY JOE STEVENS, |) | |
| |) | |
| Plaintiff, |) | 3:11-cv-00558-LRH-VPC |
| |) | |
| v. |) | |
| |) | <u>ORDER</u> |
| ALYSON JUNGEN, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Before this Court is Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#41¹) entered on November 7, 2012 (originally filed under #40, but a corrected image was then filed the same day), recommending denying Plaintiff’s Motion for Summary Judgment (#33) filed on June 8, 2012. Plaintiff filed his Objection to the Magistrate’s Recommendation to Dismiss Plaintiff’s Motion for Summary Judgment (#46) on January 10, 2013. Defendants have not filed a response. This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4 of the Local 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 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate Judge’s

_____ ¹Refers to court’s docket number.

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Report and Recommendation (#41) entered on November 7, 2012, should be adopted and accepted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#41) entered on November 7, 2012, is adopted and accepted, and Plaintiff's Motion for Summary Judgment (#33) is DENIED.

IT IS SO ORDERED.

DATED this 23rd day of February, 2013.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE