UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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MARLO THOMAS, Plaintiff, v. E.K McDANIEL, *et al.*, Defendants.	3:11-cv-00664-LRH-VPC O R D E R

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#56[1]) entered on July 22, 2013, recommending denying Plaintiff's Motion for Summary Judgment (#36) filed on December 26, 2012. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (#57) on August 12, 2013, and Defendants filed their Opposition to Plaintiff's Objections to Magistrate Judge's Report and Recommendation (#60) on September 4, 2013. Plaintiff then filed his Response to Defendants' Opposition to Plaintiff's Objections to Magistrate Judge's Report and Recommendation (#61) on September 16, 2013.

This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 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 of

[1]Refers to court's docket number.

the Plaintiff, the Defendants' opposition to Plaintiff's objections, Plaintiff's response to Defendants' Opposition, the pleadings and memoranda of the parties and other relevant matters of record[2] 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 (#56) entered on July 22, 2013, should be adopted and accepted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#56) entered on July 22, 2013, is adopted and accepted, and that Plaintiff's Motion for Summary Judgment (#36) is DENIED.

IT IS SO ORDERED.

DATED this 19th day of September, 2013.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

[2] The court has not considered declarations and exhibits which constitute evidence not presented to the Magistrate Judge.