

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JAMAL DAMON HENDRIX,  
Plaintiff,

vs.

STATE OF NEVADA, et al.,  
Defendants.

Case No.: 3:15-CV-00336-RCJ-WGC

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge (ECF No. 72<sup>1</sup>) entered on September 18, 2018, recommending that the Court grant Defendants' Motion for Summary Judgment. On October 15, 2018, Plaintiff filed Objections to Magistrate Judge's Report and Recommendation (ECF No. 75).

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)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (ECF No. 72) entered on September 18, 2018 should be ADOPTED and ACCEPTED.

IT IS HEREBY ORDERED that Count I is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment with respect to the retaliation claim asserted in Count III is GRANTED.

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

1 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
2 respect to the Fourth Amendment claim asserted in Count III is GRANTED.

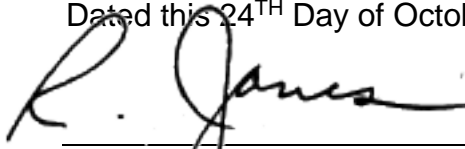
3 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
4 respect to the Eighth Amendment claims in Counts IV and V are GRANTED.

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6 IT IS FURTHER ORDERED that Defendants' motion for summary judgment with  
7 respect to the First Amendment retaliation claim in Count V on the basis that Plaintiff  
8 failed to exhaust his administrative remedies is GRANTED.

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10 IT IS FURTHER ORDERED that Defendants' motion for summary judgment as to  
11 HEALER, SANDOVAL, BAKER, FOSTER, COX, MCDANIEL AND SISCO in Count VI  
12 is GRANTED.

13 IT IS SO ORDERED.

14 Dated this 24<sup>TH</sup> Day of October, 2018.

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18 ROBERT C. JONES  
19 Senior District Judge