UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* **

STANLEY KUZMICKI,

Plaintiff,

v.

SAMANTHA HANRAHAN, *et al.,*

Defendants.

CASE NO.: 3:17-CV-00342-RCJ-VPC

ORDER

The Court has considered the Report and Recommendation of United States Magistrate (ECF No. 3) entered on September 11, 2017, in which the Magistrate Judge recommends the Court grant Plaintiff's Motion to Proceed *In Forma Pauperis* (ECF No. 1) and dismiss *Pro Se* Complaint (ECF No. 1-1) with leave to amend deficiencies described in the Report and Recommendation. The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

ADOPTS AND ACCEPTS the Report and Recommendation of the United States Magistrate Judge (ECF No. 3).

IT IS HEREBY ORDERED that Plaintiff's Motion to Proceed *In Forma Pauperis* (ECF No. 1) is GRANTED.

IT IS FURTHER ORDERED that the Clerk of the Court shall file Plaintiff's Complaint (ECF No. 1-1).

IT IS FURTHER ORDERED that the Complaint is DISMISSED WITHOUT PREJUDICE, WITH LEAVE TO AMEND as to claims against Defendants Shelly, S. Hanrahan, D. Hanrahan, and Westad.

IT IS FURTHER ORDERED that the Complaint is DISMISSED WITH PREJUDICE as to the claims against Defendant Gardner.

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension of Time to File Amended Complaint (ECF No. 4) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff shall file an Amended Complaint on or before Monday, November 27, 2017.

IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Public Defender (ECF No. 5) is DENIED as Moot.

IT IS SO ORDERED this 27th day of October, 2017.

ROBERT C. JONES
UNITED STATES DISTRICT JUDGE