

**FILED**

APR 10 2012

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY ruh DEPUTY

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

JOHN THOMAS SAKREKOV, )  
)  
Plaintiff, )  
)  
vs. )  
)  
MARGARET GRISMER et al., )  
)  
Defendants. )

No. CIV-12-300-W

**ORDER**

On March 27, 2012, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Court dismiss this action without prejudice and direct the Clerk of the Court to file the complaint in the instant matter in Sakrekov v. United States, No. CIV-12-130-W ("Sakrekov I"), and designate it as an amended complaint. Plaintiff John Thomas Sakrekov was advised of his right to object, and the matter now comes before the Court on Sakrekov's Motion for Court to Take Judicial Notice, wherein Sakrekov has advised that he has no objection to the Report and Recommendation.

Upon de novo review of the case-at-bar and the proceedings in Sakrekov I, the Court

- (1) ADOPTS the Report and Recommendation [Doc. 4] filed on March 27, 2012;
- (2) deems RESOLVED Sakrekov's Motion for Court to Take Judicial Notice [Doc.

6] file-stamped April 9, 2012;<sup>1</sup>

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<sup>1</sup>Despite Sakrekov's statement that Magistrate Judge Purcell's reference to No. CIV-12-130-W is "merely a typo," Doc. 6 at 1, ¶ 4, and that "the case number now being used is actually CIV-12-300-W," id., the Court ADVISES Sakrekov that in accordance with this Order his claims against the individual defendants, who are employed at the Federal Correctional Institution in El Reno,

(3) DISMISSES the instant matter without prejudice; and

(4) DIRECTS the Clerk of the Court to file the complaint that was filed in the case-at-bar, see Doc. 1, in Sakrekov v. United States, No. CIV-12-130-W, and to designate that pleading as an amended complaint filed by Sakrekov in response to Magistrate Judge Purcell's Orders [Docs. 4, 7] dated February 3, 2012, and February 27, 2012, respectively.

ENTERED this 10<sup>th</sup> day of April, 2012.



LEE R. WEST  
UNITED STATES DISTRICT JUDGE