

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

CHRISTIAN BRETT MARTINEZ,)
)
Plaintiff,)
)
v.)
)
OKLAHOMA CITY POLICE)
DEPARTMENT, et al.,)
)
Defendants.)

Case No. CIV-16-1351-M


ORDER

On January 6, 2017, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging defendants violated his constitutional rights. The Magistrate Judge recommended this action be dismissed with prejudice, as the Oklahoma City Police Department and Edmond Police Department may not be sued and Oklahoma County is not the proper party. Plaintiff was advised of his right to file an objection to the Report and Recommendation by January 23, 2017. A review of the files reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 10] issued by the Magistrate Judge on January 6, 2017; and
- (2) DISMISSES plaintiff’s Complaint [docket no. 1] with prejudice for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED this 5th day of April, 2017.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE