

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

LAWRENCE LEE ELMORE,
Plaintiff,

No. 1:12-cv-1332-CL

v.

JACKSON COUNTY, et al.
Defendants.

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

I agree with Magistrate Judge Clarke that plaintiff's claims must be dismissed as barred by the statute of limitations, and

that plaintiff should be given leave to file an amended complaint asserting a claim for malicious prosecution. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#27) is adopted. Defendants' motion to dismiss (#13) and plaintiff's motion for reconsideration (#25) are granted. Plaintiff may file an amended complaint within thirty days.

IT IS SO ORDERED.

DATED this 27 day of March, 2013.

A handwritten signature in cursive script, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE