

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KELLY NATHAN PREUITT,

3:16-cv-00835-PK

Plaintiff,

ORDER

v.

OREGON DEPARTMENT OF  
CORRECTIONS, an agency  
of the State of Oregon;  
COLETTE PETERS, individually;  
STEVE SHELTON, M.D.,  
individually; HEIDI STEWARD,  
individually; JOHN DOES 1-10,  
individually,

Defendants.

**BROWN, Judge.**

Magistrate Judge Paul Papak issued Findings and Recommendation (#29) on July 21, 2017, in which he recommends this Court grant Defendants' Motion (#22) for Summary Judgment as to Plaintiff's Sixth and Seventh Claims; dismiss Plaintiff's Sixth and Seventh Claims with prejudice; and, in light of the fact that all of Plaintiff's claims have now been dismissed, dismiss this matter in its entirety. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#22). Accordingly, the Court **GRANTS** Defendants' Motion (#22) for Summary Judgment and **DISMISSES with prejudice** Plaintiff's Sixth and Seventh Claims.

IT IS SO ORDERED.

DATED this 15<sup>th</sup> day of August, 2017.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States Senior District Judge