

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

ALLAELDIN DAWELBAIT
ABDELRAHIM,

Plaintiff,

vs.

CATHERINE CONKLIN et al.,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:11-cv-0069 CW

District Judge Clark Waddoups

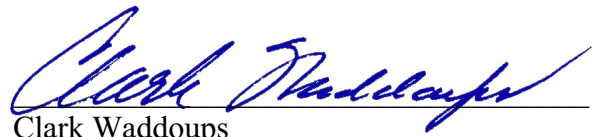
Magistrate Judge David Nuffer

This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to United States Magistrate David Nuffer under 28 U.S.C. § 636(b)(1)(B). On November, 30, 2011, Judge Nuffer issued a Report and Recommendation, recommending that the defendants' motions to dismiss be granted.¹ Plaintiff Allaeldin Dawelbait Abdelrahim filed a timely objection to the Report and Recommendation on December 13, 2011. After having reviewed the file *de novo*, the court hereby APPROVES AND ADOPTS the Magistrate Judge's Report and Recommendation on the basis of immunity and one defendant not being subject to suit under Section 1983. Because the court adopts the Report and Recommendation on these grounds, it does not reach whether the case also should be dismissed based on the *Younger* doctrine. This case is hereby dismissed and each party shall bear his, her, or its own costs.

¹ Two motions to dismiss were filed in this action. Plaintiff's complaint lists the name of one defendant as the "Court Security Staff." The summons lists the defendant as the "Court Sheriff." Because the Weber County Sheriff's Office provides the court with security and the complaint did not name an individual, the Weber County Sheriff's Office filed a motion to dismiss. The other motion to dismiss was filed by Defendants Judge Ernie Jones, Commissioner Catherine Conklin, and Second District Court Clerks Suzan Stever and Paty Dixon who are alternatively listed as Susan Stever and Patty Dixon.

SO ORDERED this 14th day of February, 2012.

BY THE COURT:

A handwritten signature in blue ink, reading "Clark Waddoups", written over a horizontal line.

Clark Waddoups
United States District Judge