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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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ANTHONY BRIAN HAWKINS,  
Plaintiff,

v.

ADAM F. GHIZ, et al.,  
Defendant.

**MEMORANDUM DECISION AND  
ORDER ADOPTING [61] REPORT AND  
RECOMMENDATION**

Case No. 2:18-cv-00466-DBB-JCB

District Judge David Barlow

Magistrate Judge Jared C. Bennett.

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The Report and Recommendation<sup>1</sup> issued by United States Magistrate Judge Jared C. Bennett on February 25, 2021 recommends that Plaintiff's Motion for Leave to File an Amended Complaint<sup>2</sup> be denied.<sup>3</sup> Magistrate Judge Bennett recommended this course of action because he concluded that Plaintiff's proposed excessive force claims are futile because they are subject to dismissal.<sup>4</sup> Furthermore, Plaintiff's proposed state-law claims are likewise futile because exercising supplemental jurisdiction over them is not proper in the absence of any viable federal claims.<sup>5</sup>

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636 and Fed. R. Civ. P. 72.<sup>6</sup> No party filed an objection.

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<sup>1</sup> Report and Recommendation, ECF No. 61, filed February 25, 2021.

<sup>2</sup> Motion for Leave to File Amended Complaint, ECF No. 49, filed September 25, 2020,

<sup>3</sup> Report and Recommendation at 13.

<sup>4</sup> *Id.* at 8.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 14.

Because no party filed a written objection to the Report and Recommendation by the specified deadline, and because the analysis and conclusion of the Magistrate Judge are sound, the Report and Recommendation of Magistrate Judge Bennett is adopted in its entirety.

**ORDER**

IT IS HEREBY ORDERED that the Report and Recommendation<sup>7</sup> is ADOPTED. Plaintiff's Motion for Leave to File an Amended Complaint<sup>8</sup> is DENIED.

As a result of the denial of Plaintiff's Motion, the court no longer has jurisdiction over this case. The clerk is directed to close the case.

Signed March 15, 2021.

BY THE COURT



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David Barlow  
United States District Judge

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<sup>7</sup> Report and Recommendation, ECF No. 61, filed February 25, 2021.

<sup>8</sup> Motion for Leave to File Amended Complaint, ECF No. 49, filed September 25, 2020,