

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

<p>HONGAN LAI,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>DEPT. OF JUSTICE, <u>et al.</u>,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 5:13cv00033</p> <p>By: Michael F. Urbanski</p> <p>United States District Judge</p>
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ORDER

This matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on July 8, 2013, recommending that the case against defendant Ben L. Cline be dismissed. Plaintiff, who is proceeding pro se, filed an objection to the report and recommendation.

The court has reviewed the magistrate judge's report and plaintiff's objection to the report and, in so doing, made a de novo determination of those portions of the report to which the plaintiff objected. The court finds that the magistrate judge was correct in concluding that the claim against Ben L. Cline should be dismissed.

It is therefore **ORDERED** and **ADJUDGED** that the report and recommendation (Dkt. # 22) is **ADOPTED in its entirety**, and that plaintiff's claim against defendant Ben L. Cline is **DISMISSED** pursuant to Federal Rule of Civil Procedure 12(b)(1) or, in the alternative, Rule 12(b)(6), and **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to plaintiff and to counsel of record.

Entered: July 26, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge