

1 Report and Recommendation suggests granting Defendants' supplemental motion for summary
2 judgment.

3 The Report and Recommendation also recommends that *in forma pauperis* status should
4 be revoked in the event of any appeal. However, Plaintiff paid the filing fee and was never
5 granted *in forma pauperis* status.

6 The Court having considered the Report and Recommendation and the remaining record,
7 and no objections having been filed, does hereby find and order as follows:


8 (1) The Report and Recommendation (Dkt. No. 38) is ADOPTED except for the
9 recommendation to revoke the *in forma pauperis* status as such recommendation is not
10 applicable;

11 (2) Defendants' supplemental motion for summary judgment (Dkt. No. 34) is GRANTED;
12 and

13 (3) Plaintiff's complaint is DISMISSED with prejudice.

14 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to
15 any party appearing pro se at said party's last known address.

16 DATED this 9th day of November 2021.

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21 David G. Estudillo
22 United States District Judge
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