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CLERK, U.S. DISTRICT COURT
FEB 26 2007
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY
BY *OK*

ENTERED
CLERK, U.S. DISTRICT COURT
FEB 26 2007
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY
BY *Rg*

SCALED

DATED: FEBRUARY 21, 2007

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

PIERRE GENEVIER,
Plaintiff,
v.
EDOUARDO AGUIRRE, et al.,
Defendants.

No. CV 05-7517-AG (PLA)

ORDER ADOPTING MAGISTRATE
JUDGE'S SECOND FINAL REPORT AND
RECOMMENDATION

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's second final report and recommendation, and the objections to the report and recommendation that have been filed herein. The Court agrees with the recommendations of the magistrate judge.

ACCORDINGLY, IT IS ORDERED:

1. The second final report and recommendation is adopted.
2. Defendant's Motion to Dismiss is granted;
3. Plaintiff's federal civil rights and conspiracy claims against the United States are dismissed with prejudice and without leave to amend; plaintiff's tort claims against the United States are dismissed with leave to amend.

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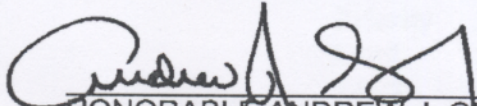
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4. Plaintiff is ordered to file a First Amended Complaint on a date to be set by the Court after the District Court's Order has become final and the Court has screened the Complaint pursuant to 28 U.S.C. § 1915(e)(2) that, with respect to this defendant, sets forth only plaintiff's tort claims against the United States.

5. The clerk shall serve this order on all counsel or parties of record.

DATED: FEBRUARY 21, 2007


HONORABLE ANDREW J. GUILFORD
UNITED STATES DISTRICT JUDGE

STATE

Pierre - Gene
423 East 7th Street, Room 328
Los Angeles,

of Pages: 2

It hereby certified that this document was served by first class mail postage prepaid or by fax or e-mail delivery to counsel (or parties) at their respective address or fax number or e-mail address of record.