

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ROBERT DRAKE EWBANK,

Case No. 6:17-cv-00187-JR

Plaintiff,

ORDER

v.

JEFF EMRICK, *et al.*,

Defendants.

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MCSHANE, Judge:

Magistrate Judge Jolie A. Russo has filed a Findings and Recommendation, ECF No. 54, and the matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B); Fed.R.Civ.P. 72(b). Plaintiff filed objections to the Findings and Recommendation. Accordingly, I have reviewed this case *de novo*. *See* 28 U.S.C. § 636(b)(1)(c); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). I find no error and adopt the Findings and Recommendations.

Magistrate Judge Russo's Findings and Recommendation, ECF No. 54, is ADOPTED in full. Defendants' Motion to Dismiss, ECF No. 44, is GRANTED. Plaintiff's Request for

Sanctions, ECF No. 46, is DENIED. Plaintiff is granted 14 days to file a motion for leave to file an amended complaint.

IT IS SO ORDERED.

DATED this 30th day of January, 2017.

/s/ Michael McShane  
Michael McShane  
United States District Judge