

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RUDY STANKO,

Petitioner,

v.

M. CRUZ, Local Director/Warden,
MICHAEL NALLEY, Regional Director, and
HARLEY LAPPIN, Director,

Respondents.

Civil No. 08-790 (JNE/JJG)

**ORDER ON REPORT AND
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT
PREJUDICE**

Dated: May 27, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge