

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

GREGORY BESTER,

Civil No. 08-5325 ADM/AJB

Plaintiff,

v.

O R D E R

DWIGHT L. FONDREN, Warden,  
L. RITTER, Associate Warden,  
J. ERICKSON, CMC,  
W. PUMMIL, Captain,  
G. VILLARREAL, Unit Manager, and  
N. FEDO, Case Manager,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated October 30, 2008, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: December 4, 2008.

s/Ann D. Montgomery

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Judge Ann D. Montgomery  
U. S. District Court