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UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Belzeta Phillips,	Civil No. 08-6199 JNE/SRI
Plaintiff,	
v. Barbara Leone,	ORDER
Defendant.	

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated December 2, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

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

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is

DENIED; and

2. This action is summarily **DISMISSED** for lack of jurisdiction.

DATED: _January 9, 2009.

s/ Joan N. Ericksen
Judge Joan N. Ericksen
United States District Court Judge