

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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SCOTT DONALD WEILE,

Civil No. 08-6216 (JRT/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

MICHAEL MUKASEY, *et al.*

Defendants.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated January 6, 2009. 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, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Application to Proceed Without Prepayment of Fees [Docket No. 3], is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: January 26, 2009  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge