

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Wahid Ash-Shahid,

Civil 08-6412 MJD/FLN

Plaintiff,

v.

O R D E R

Roger Werholtz, Jeff Smith,  
David Riggan, Cherryl Hensley,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated February 20, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

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

DATED: March 19, 2009.  
at Minneapolis, Minnesota

s/Michael J. Davis  
CHIEF JUDGE MICHAEL J. DAVIS  
United States District Court