

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DONALD ASKEW,

Case No. 09-CV-0389 (PJS/RLE)

Plaintiff,

v.

ORDER ADOPTING REPORT AND
RECOMMENDATION

ALEXANDRIA-MINNESOTA
SHERIFF/POLICE DEPARTMENT-
DISTRICT ATTORNEY OFFICE, et al.,

Defendants.

Donald Askew, pro se.

This matter is before the Court on what the Court construes to be plaintiff's objection to the Report and Recommendation ("R&R") of Chief Magistrate Judge Raymond L. Erickson. Judge Erickson recommends dismissing this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Court has conducted a de novo review of the entire file, including the documents plaintiff filed conventionally in a three-ring binder. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Based on that review, the Court **OVERRULES** plaintiff's objection [Docket No. 6] and **ADOPTS** the R&R [Docket No. 3]. **IT IS HEREBY ORDERED** that this action is summarily **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 20, 2009

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge