## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Loren Welsand,

Plaintiff,

v.

Thomas Heffelfinger and Richard Morgan,

Civil No. 09-3187 (JNE/JJK) ORDER

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable

Jeffrey J. Keyes, United States Magistrate Judge, on November 18, 2009. The magistrate judge

recommended that Plaintiff's application to proceed in forma pauperis be denied and that this

case be dismissed pursuant to 28 U.S.C § 1915(e)(2)(B)(ii) (2006). Plaintiff objected to the

Report and Recommendation. The Court has conducted a de novo review of the record. See D.

Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation.

Therefore, IT IS ORDERED THAT:

- 1. Plaintiff's application to proceed in forma pauperis [Docket No. 2] is DENIED.
- This action is DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 15, 2009

s/ Joan N. Ericksen JOAN N. ERICKSEN United States District Judge