UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

John Bowen,

Civil No. 10-0088 (PJS/XXX)

Plaintiff,

v.

ORDER

St. Paul Police Department; and The City of St. Paul,

Defendants.

This matter is before the Court on the Report and Recommendation of Magistrate

Judge Susan Richard Nelson dated December 9, 2010. No objections to the Report and

Recommendation have been filed within the requisite time period.

Based on the foregoing, and all the files, records and proceedings herein, IT IS

HEREBY ORDERED that:

- 1. Defendants' motion to dismiss [Doc. No. 8] is **GRANTED**; and
- 2. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 30, 2010

<u>s/Patrick J. Schiltz</u> Patrick J. Schiltz United States District Judge