

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ALICIA SHAKIA EATON, E.D.,
AND S.J.,

Civil No. 10-1804 JRT/FLN

Plaintiffs,

ORDER

v.

MINNESOTA ATTORNEY GENERAL'S
OFFICE, HENNEPIN COUNTY
ATTORNEY'S OFFICE, HENNEPIN
COUNTY CONCILIATION COURT,
NANCY ADAMS, HENNEPIN COUNTY
DISTRICT COURT, JOHN Q. MCSHANE,
AND NATIVIDAD ACEVEDO,

Defendants.

Alicia Shakia Eaton, 6071 Post Office Box, Minneapolis, MN 55406, pro se plaintiff.

John S. Garry, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 1100, St. Paul, MN 55101, for Defendants Minnesota Attorney General's Office, Hennepin County Conciliation Court, Nancy Adams, Hennepin County District Court, and John Q. McShane.

Daniel Rogan, **OFFICE OF THE HENNEPIN COUNTY ATTORNEY**, 300 South Sixth Street, Suite A-2000, Minneapolis, MN 55487, for Defendant Hennepin County Attorney's Office.

Natividad Acevedo, 3854 35th Avenue South, Minneapolis, MN 55406, pro se defendant.

On September 15, 2010, this Court entered an Order adopting the Report and Recommendation [Docket No. 53]. No objections had been filed by either plaintiffs or defendants. An "Affidavit of Service" by plaintiffs was received by the Clerk of Court on

September 14 and docketed the next day. The affidavit indicated that objections to the Report and Recommendation were sent by first class mail to the defendants on September 9, 2010. On September 20, 2010, plaintiff hand-delivered a copy of the objections to the Court. It appears that plaintiffs made a good faith effort to comply with the deadline. As such, the Court will vacate its order adopting the Report and Recommendation and consider the objection and any response that may be filed. The Court will issue an order on the Report and Recommendation at a later time. In addition, the Court vacates the Judgment that was entered against plaintiffs.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Clerk of Court is **DIRECTED** to file the objections received on September 20, 2010.
2. The Order Adopting the Report and Recommendation dated September 15, 2010 [Docket No. 53] is **VACATED**.
3. The Clerk of Court is **DIRECTED** to vacate the judgment [Docket No. 54] and reopen this case.

IT IS FURTHER ORDERED that defendants shall respond to plaintiffs objections within 14 days from the date of this order.

Dated: September 21, 2010
at Minneapolis, Minnesota

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