

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Damiene Lewis,

Civil 10-3082 PJS/FLN

Plaintiff,

v.

O R D E R

U.S. Department of Justice
Bureau of Prisons, and
P.A. Sullivan,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated September 23, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis* [#3] is DENIED;
2. Plaintiff's motion for appointment of counsel [#2] is DENIED; and
3. This action is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: October 18, 2010.

s/Patrick J. Schiltz

Patrick J. Schiltz
United States District Judge