

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Lloyd Andrew Shabaiash,

Civil No. 10-3159 (DWF/SRN)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Michael Camien,  
Commissioner of Public Safety,

Defendant.

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Lloyd Andrew Shabaiash, *Pro Se*, Plaintiff.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated October 18, 2010. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed *in forma pauperis*, (Doc. No. [2]), is **DENIED**;
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);

3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$263.78, in accordance with 28 U.S.C. § 1915(b)(2); and

4. The dismissal of this action is counted as a “strike” against Plaintiff for purposes of 28 U.S.C. § 1915(g).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 2, 2011

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge