

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: David Earl Wattleton,

Case No.: 11-cv-1156 (DWF/SER)

Petitioner.

ORDER

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* [Docket No. 2] be **DENIED**; and
2. This action be summarily **DISMISSED** pursuant to 28 U.S.C § 1915(e)(2)(B)(ii).

Dated: 6-1-2011

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