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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

LLOYD HARTLEIB,

Case No. 12-CV-344 (NEB/DJF)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

GOVERNOR MARK DAYTON,  
ATTORNEY GENERAL LORI SWANSON,  
CAL LUDEMAN, LUCINDA JESSON,  
DENNIS BENSON, DANIEL STORKAMP,  
GREGORY CARLSON, KEVIN MOSER,  
JANINE HEBERT, TOM LUNDQUIST,  
ELIZABETH BARBO, MS. EILEEN  
WATERMAN, DEBBIE THAO, SCOTT G.  
BENOIT, DR. ANN MARIE LAVALLEY-  
WOOD, TERRANCE KNEISEL, TIMOTHY  
GORR, DAVID BORNUS, ERIK SKON,  
JAMIE JUNGERS, SUE JOHNSON,  
YVETTE ANDERSON, ANN  
ZIMMERMAN, AMANDA FUREY,  
ANNIE KOSLOSKI, JEAN M. SEYKORA,  
TARA OSBORNE, ROBERT P. ROSE,  
JULIANNA L. BEAVENS, BLAKE A.  
CAREY, RONALD E. FISCHER, TERESA  
M. KNIES, KENT JOHANSEN, JANE E.  
STINAR, DARREL E. JENSEN, NATHAN  
A. JOHNSON, STEVEN A. JANZ,  
MICHAEL A. ANDERSON, and MARK  
HANSEN, *each sued in their individual  
capacity and in their official capacity as  
employees of the Department of Human  
Services,*

Defendants.

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The Court has received the January 3, 2023, Report and Recommendation of United States Magistrate Judge Dulce J. Foster. (ECF No. 21.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 21) is ACCEPTED;
2. The following claims are DISMISSED WITHOUT PREJUDICE:
  - a. Ground One;
  - b. The unlawful-search claims raised in Ground Three;
  - c. Ground Four;
  - d. Ground Five;
  - e. Ground Six;
  - f. Ground Seven;
  - g. Ground Eight;
  - h. Ground Ten;
  - i. Ground Twelve;
  - j. Ground Thirteen;
  - k. Ground Fourteen;
  - l. Ground Fifteen;

- m. Ground Sixteen;
  - n. Ground Eighteen;
  - o. Ground Nineteen;
  - p. Ground Twenty; and
  - q. Ground Twenty-One.
3. Defendant Eileen Waterman is DISMISSED WITHOUT PREJUDICE from this litigation.
4. Each of the remaining Defendants are DISMISSED WITHOUT PREJUDICE in their personal capacities.

Dated: February 7, 2023

BY THE COURT:

s/Nancy E. Brasel  
Nancy E. Brasel  
United States District Judge