

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Mark Farber,

Civil No. 13-1149 (DWF/JSM)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Scott Fisher,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated July 9, 2013. No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Janie S. Mayeron's July 9, 2013 Report and Recommendation (Doc. No. [6]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 30, 2013

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