

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Elma J. Augustine,

Civil No. 13-1417 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

United States of America, Eric Holder,
B. Todd Jones, and Internal Revenue
Service,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated February 20, 2014. (Doc. No. 36.) 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 Leo I. Brisbois's Report and Recommendation (Doc. No. [36]) is **ADOPTED**.
2. The United States' Motion to Dismiss (Doc. No. [5]) is **GRANTED**.
3. This matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 14, 2014

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