

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHARLES MICHAEL GEIGER,

Civil No. 13-2140 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

MINNESOTA DEPARTMENT OF
HUMAN SERVICES, et al,

Defendants.

Charles Michael Geiger, MSOP, 1111 Highway 73, Moose Lake, MN 55767, pro se plaintiff.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, it is --

ORDERED:

1. Plaintiff's motion for leave to proceed in forma pauperis, (Docket No. 2), **IS DENIED**;
2. Plaintiff's motion for appointment of counsel, (Docket No. 3), **IS DENIED**;
3. This action **IS** summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B); and
4. Plaintiff's claims brought under Minnesota state law are **DISMISSED WITHOUT PREJUDICE**.

DATED: October 10, 2013
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge