

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Schaaron L. Martin,

Civil 13-2894 MJD/FLN

Plaintiff,

v.

O R D E R

Dr. Thomas M. Keane, Jr., et al,  
*D.D.S., in his individual capacity*

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated November 1, 2013, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and
2. This action is summarily **DISMISSED** for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(h)(3).

DATED: December 3, 2013.

s/Michael J. Davis  
MICHAEL J. DAVIS  
Chief Judge  
United States District Court