

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Derek Leake-Bey,

Plaintiff,

v.

Civil No. 14-139 (JNE/JSM)  
ORDER

Tessa M. Ion, Tom Roy, and Minnesota  
Department of Corrections,

Defendants.

In a Report and Recommendation dated April 1, 2014, the Honorable Janie S. Mayeron, United States Magistrate Judge, recommended that Plaintiff's application to proceed in forma pauperis be denied as moot and that this action be dismissed without prejudice. No objection to the Report and Recommendation has been received. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 4].

Therefore, IT IS ORDERED THAT:

1. Plaintiff's application to proceed in forma pauperis [Docket No. 2] is DENIED AS MOOT.
2. This action is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 22, 2014

s/Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge