

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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CHARLES MICHAEL GEIGER et al,

Civil No. 14-1576 (JRT/LIB)

Plaintiffs,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

MINNESOTA DEPARTMENT OF  
HUMAN SERVICES et al,

Defendants.

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Kenny S. Daywitt, MSOP-Moose Lake, 1111 Minnesota 73, Moose Lake,  
MN 55767, *pro se* plaintiff,

Uzodima F Aba-Onu, **Minnesota Attorney General's Office**, 445  
Minnesota Street, Suite 1100, St Paul, MN 55101-2128, for defendants.

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:

The Court construing Plaintiff Daywitt's Motion to Dismiss as a Notice of  
Voluntary Dismissal, and, accordingly, that the present action, as alleged by Plaintiff  
Daywitt, is DISMISSED WITHOUT PREJUDICE. Plaintiff Geiger's claims are  
unaffected by the present order.

Dated: July 15, 2014

s/John R. Tunheim

JOHN R. TUNHEIM

United States District Judge