

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PAUL PAYEN,

Plaintiff,

Civil No. 15-122 (JRT/HB)

v.

HON. WARDEN B.R. JETT, et al,

Defendants.

**ORDER ON REPORT
AND RECOMMENDATION**

Paul Payen, 04997-052, Rochester Federal Medical Center, P.O. Box 4000, Rochester, MN 55903, *pro se* plaintiff,

Ana Voss, D. Geral Wilhelm, David Fuller, Assistant United States Attorneys, **UNITED STATES ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner Paul Payen's petition for a writ of habeas corpus [Doc. No. 1] is **DENIED**.
3. Payen's application to proceed *in forma pauperis* [Doc. No. 2] is **DENIED**.
4. This action is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 27, 2015
at Minneapolis, Minnesota

s/John R. Tunheim

JOHN R. TUNHEIM
United States District Judge