

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHARLES RICARDO O'NEAL,
Plaintiff,

Civil No. 16-375 (JRT/HB)

v.

BRENDA JOHNSON, RN
Supervisor/Director, et al,

**ORDER ON REPORT
AND RECOMMENDATION**

Defendants.

Charles Ricardo O'Neal, OID#209560, MCF-Stillwater, 970 Pickett Street North, Bayport, MN 55003, *pro se* plaintiff,

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated August 30, 2016. No objections have been filed to that Report and Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. This action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute;
2. Plaintiff O'Neal's pending IFP applications [Docket Nos. 2, 12, 17] are denied as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: February 10, 2017
at Minneapolis, Minnesota

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