

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kenneth Steven Daywitt and Kenneth
Gernard Parks,

Case No. 16-cv-0648 (WMW/FLN)

Plaintiffs,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Minnesota Department of Human Services,
Minnesota Sex Offender Program, et al.,

Defendants.

This matter is before the Court on the November 4, 2016 Report and Recommendation of United States Magistrate Judge Franklin L. Noel. (Dkt. 33.) No objections to the Report and Recommendation have been filed in the time period permitted.

Based on the Report and Recommendation and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The November 4, 2016 Report and Recommendation, (Dkt. 33), is **ADOPTED.**
2. Defendants' motion to dismiss, (Dkt. 12), is **DENIED AS MOOT.**
3. Plaintiffs' motion to proceed, (Dkt. 21), is **DENIED AS MOOT.**

Dated: December 22, 2016

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge