

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David Alexander Schill, Jr.,

Civil No. 16-1280 (DWF/KMM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Joey Pederson, Lt.; David Casanova,
Administrator; and Chad Johnson, Sgt.,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Katherine M. Menendez dated November 22, 2016. (Doc. No. 29.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Katherine M. Menendez's November 22, 2016 Report and Recommendation (Doc. No. [29]) is **ADOPTED**.
2. Defendants' motion to dismiss (Doc. No. [15]) is **GRANTED**. This action is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 21, 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge