

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CLARENCE JOHNSON,

CIVIL NO. 17-243 (PJS/DTS)

Plaintiff,

v.

ORDER

A TOUCH OF CLASS PAINTING INC.,  
STATE FARM FIRE & CASUALTY CO., and  
MARK A. WAGNER,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated May 8, 2017. 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. Plaintiff Clarence Johnson's Application to Proceed Without Prepayment of Fees [Docket No. 2] is DENIED; and
2. This action is DISMISSED without prejudice for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) and for lack of subject matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 5/30/17

s/Patrick J. Schiltz  
PATRICK J. SCHILTZ  
United States District Court Judge