

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clifford J. Schuett,

Case No. 17-cv-0637 (WMW/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

L. LaRiva; M. Smith; Ms. Reya-Cassette;
Mr. D. Cansino; and Mr. Grimsley,

Defendants.

This matter is before the Court on the April 12, 2017 Report and Recommendation (“R&R”) of United States Magistrate Judge Steven E. Rau. (Dkt. 7.) No objections to the R&R have been filed in the time period permitted.¹ In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee’s note (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

¹ On April 17, 2017, Plaintiff Clifford J. Schuett filed a “Petition and Motion for a Temporary Injunction and Restraining Order.” (Dkt. 8.) Schuett’s filing, however, does not address the merits of the R&R and cannot, therefore, be construed as an objection to the R&R. Accordingly, because Schuett’s complaint must be dismissed for his failure to tender the required filing fees as detailed in the R&R, his motion for injunctive relief is denied as moot.

ORDER

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

1. The April 12, 2017 Report and Recommendation, (Dkt. 7), is **ADOPTED**;
2. Plaintiff Clifford J. Schuett's complaint, (Dkt. 1), is **DISMISSED**

WITHOUT PREJUDICE; and

3. Plaintiff Clifford J. Schuett's "Petition and Motion for a Temporary Injunction and Restraining Order," (Dkt. 8), is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 19, 2017

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