

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Steven M. Horde

Case No. 17-cv-0800 (WMW/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Officer Elliot, Minneapolis Department of
Civil Rights, Minneapolis City Attorney's
Office, Minneapolis Department of Police
Internal Affairs, and Sharing and Caring
Hands,

Defendants.

This matter is before the Court on the January 9, 2018 Report and Recommendation of United States Magistrate Judge Tony N. Leung. (Dkt. 99.) No objections to the Report and Recommendation have been filed. In the absence of timely objections, this Court reviews a Report and Recommendation for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the Report and Recommendation, the Court finds no clear error.

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

1. The January 9, 2018 Report and Recommendation, (Dkt. 99), is **ADOPTED**.
2. Defendant Sharing and Caring Hands's motion for summary judgment, (Dkt. 52), is **GRANTED** in part and **DENIED** in part, consistent with the January 9, 2018 Report and Recommendation, as follows:

- a. Plaintiff Steven M. Horde's claims asserting violations by Sharing and Caring Hands of the United States Constitution and federal statutes are **DISMISSED WITH PREJUDICE**; and
- b. Horde's state-law claim against Sharing and Caring Hands is **DISMISSED WITHOUT PREJUDICE**.

3. The motion to dismiss of Defendants Officer Elliot, Minneapolis Department of Civil Rights, Minneapolis City Attorney's Office, and Minneapolis Department of Police Internal Affairs (collectively, the "Minneapolis Defendants"), (Dkt. 84), is **GRANTED** in part and **DENIED** in part, consistent with the January 9, 2018 Report and Recommendation, as follows:

- a. Horde's claims asserting violations by the Minneapolis Defendants of the United States Constitution and federal statutes are **DISMISSED WITH PREJUDICE**; and
 - b. Horde's state-law claims against the Minneapolis Defendants are **DISMISSED WITHOUT PREJUDICE**.
4. Horde's motion to deny summary judgment, (Dkt. 61), is **DENIED**.
 5. Horde's motion for leave to file an amended complaint, (Dkt. 69), is **DENIED**.
 6. Horde's motion to amend the parties on the complaint, (Dkt. 79), is **DENIED**.
 7. Horde's motion to re-write the complaint, (Dkt. 89), is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 20, 2018

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