

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Carl L. Green, d/b/a Signature Capital; and
Signature Capital,

Case No. 17-cv-1154 (WMW/SER)

Plaintiffs,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

Judge William Leary, III, in official and
personal capacities,

Defendant.

This matter is before the Court on the August 7, 2017 Report and Recommendation of United States Magistrate Judge Steven E. Rau. (Dkt. 22.) Because no objections have been filed, this Court reviews the 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 August 7, 2017 Report and Recommendation, (Dkt. 22), is **ADOPTED**;
2. Defendant's motion to dismiss, (Dkt. 6), is **GRANTED IN PART** and **DENIED IN PART** as described in the August 7, 2017 Report and Recommendation; and

3. Plaintiffs' complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.
LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 12, 2017

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