

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Patrick Heurung,

Civil No. 17-1173 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

State of Minnesota; Mark Dayton,
Governor; Lori Swanson, Attorney
General; Stehen P. Rolfsrud, Magistrate;
and Thomas P. Kelly, County Attorney,

Defendants.

The above matter comes before the Court upon the Amended Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated June 1, 2017. (Doc. No. 6.) No objections have been filed to that Amended Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Amended Report and Recommendation and is incorporated by reference. Based upon the Amended 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 Leo I. Brisbois's Amended Report and Recommendation (Doc. No. [6]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 28, 2017

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