

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Eugene Vincent Joiner,

Case No. 17-cv-1194 (WMW/KMM)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

USAA Auto Insurance Company and
Christopher Stuart,

Defendants.

This matter is before the Court on the September 12, 2017 Report and Recommendation of United States Magistrate Judge Katherine M. Menendez. (Dkt. 6.) 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 September 12, 2017 Report and Recommendation, (Dkt. 6), is **ADOPTED**; and

2. Plaintiff's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 21, 2017

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