

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Shannon Lee Simmons,

Case No. 17-cv-1402-DSD-KMM

Plaintiff,

v.

**ORDER**

State of Minnesota,

Defendant.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Kate Menendez, dated July 17, 2017. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

1. This action is **SUMMARILY DISMISSED WITHOUT PREJUDICE.**
2. Plaintiff Shannon Lee Simmons's application to proceed *in forma pauperis* [ECF No. 2] is **DENIED.**

**Let Judgment Be Entered Accordingly.**

Dated: August 1, 2017

s/David S. Doty \_\_\_\_\_  
David S. Doty, Judge  
United States District Court