

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Neulan D. Midkiff,

Petitioner,

v.

United States of America,

Respondent.

Civil No. 17-cv-1613 (PJS/HB)

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**; and
2. This matter is **SUMMARILY DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 08/07/17

s/Patrick J. Schiltz

PATRICK J. SCHILTZ

United States District Judge