

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Dean Benter,

Plaintiff,

vs.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Mahnomen County Human  
Services, et al.,

Defendants.

Civil No. 17-2986 (PJS/LIB)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. That all federal claims against Fosston Eye Clinic, Matthew Forgit, and Angela Smith are **DISMISSED WITH PREJUDICE.**
2. All remaining claims, including any pendent state-law claims, are **DISMISSED WITHOUT PREJUDICE.**
3. Plaintiff Dean Benter’s application to proceed *in forma pauperis* [ECF No. 5] is **DENIED.**
4. Let Judgment be entered accordingly.

DATED: 11/22/17  
At Minneapolis, Minnesota

s/Patrick J. Schiltz  
Patrick J. Schiltz, Judge  
United States District Court