

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No.: 18-219 (DSD/BRT)

James N. Brown, Jr.,

Plaintiff,

v.

ORDER

Associate Warden G. Cooper;
Ken Hyle, Asst. Director;
Sara Revell, Regional Director;
Kathleen Kenney, Gen. Counsel;
L. LaRiva, Warden; L. Janssen, R.N.;
C. Orum, Unit Manager; R. Woltman,
Unit Counselor; FNU Sanson; A. Cossette,
Unit Manager; D. Holbus, Lieutenant;
C. Stromberg; FNU Hare; Peter Arroyo;
Charles Slater, MD; Sheila Hadaway, MD;
Misbah Baqir, MBBS; Mayo Clinic;
M. Porter, R.N., Supervisor; T. Miller,
Captain; and the United States of
America,

Defendants.

This matter is before the court upon the report and recommendation (R&R) of Magistrate Judge Becky Thorson, dated December 11, 2018. The magistrate judge recommended that the court grant defendants' summary judgment motions.¹ No objections to the R&R have been filed within the time period permitted. See D. Minn. LR 72.2(b)(1). Under these circumstances, the court finds it appropriate to adopt the R&R.

¹ The motions were filed as motions to dismiss, however, the magistrate judge converted them into summary judgment motions because the parties presented, and the court considered, evidence outside the pleadings.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 142] is adopted in its entirety;
2. The motions for summary judgment [ECF Nos. 63, 82] are granted;
3. The action is dismissed with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 7, 2019

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