

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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JOSHUA HENRY,

Civil No. 19-429 (JRT/TNL)

Plaintiff,

v.

**ORDER**

TOM ROY, et al.,

Defendants.

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Joshua Henry, OID #247203, Kandiyohi County Jail, 2201 23rd Street NE,  
Willmar, MN 56201, *pro se* plaintiff.

Based upon the Report and Recommendation by United States Magistrate Judge  
Tony N. Leung dated August 6, 2019 (Docket No. 7), along with all the files and records,  
and no objections to said Recommendation having been filed,

**IT IS HEREBY ORDERED** that:

1. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to 28  
U.S.C. § 1915(e)(2)(B).
2. The application to proceed *in forma pauperis* of plaintiff Joshua Henry  
(Docket No. 2) is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: October 7, 2019  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court