

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Carol Vanerka Stephens,

File No. 19-cv-1689 (ECT/LIB)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Stephen Stephens,

Defendant.

Plaintiff Carol Vanerka Stephens commenced this action pro se by filing a complaint challenging the legality of certain state-court proceedings relating to a property dispute. *See generally* Compl. [ECF No. 1]. At the same time, she applied to proceed in forma pauperis (“IFP”). ECF No. 2. The case is before the Court on a Report and Recommendation issued by Magistrate Judge Leo I. Brisbois. ECF No. 4 (“R&R”). Magistrate Judge Brisbois recommends dismissing Stephens’s complaint without prejudice for lack of subject-matter jurisdiction and denying her IFP application as moot. R&R at 7. Stephens filed objections to the Report and Recommendation. ECF No. 5. Because Stephens has objected, the Court is required to review the Report and Recommendation de novo pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b)(3). The Court has undertaken that de novo review and has concluded that the Report and Recommendation’s analysis and conclusions are correct.

Therefore, based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Objections to the Report and Recommendation [ECF No. 5] are **OVERRULED;**

2. The Report and Recommendation [ECF No. 4] is **ACCEPTED** in full;

3. The action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction; and

4. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 2] is **DENIED AS MOOT.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 8, 2019

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court