

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Malik Laughlin, Kenneth Lewis, and Emily
Claire Hari, *formerly known as* Michael
Hari,

Plaintiff,

v.

James Stuart, Sheriff of Anoka County;
Jonathon Evans, Lt. Sheila Larson, SGT
Carrie Wood, Tessa Villergas, and Jesse
Rasmussen, Deputy Sheriffs of Anoka
County,

Defendants.

File No. 19-cv-2547 (ECT/TNL)

**ORDER ACCEPTING
REPORTS AND
RECOMMENDATIONS**

Plaintiffs Malik Laughlin, Kenneth Lewis,¹ and Emily Claire Hari filed this lawsuit against several Anoka County law enforcement officials, claiming that the officials violated their constitutional rights while Plaintiffs were housed in the Anoka County Jail. *See generally* Second Am. Compl. [ECF No. 311]. The case is before the Court on two Reports and Recommendations (“R&R”) issued by Magistrate Judge Tony N. Leung. *See* ECF Nos. 420, 421.

In the first R&R, Magistrate Judge Leung recommends granting the County Defendants’ motion for summary judgment [ECF No. 357] and dismissing the claims asserted by Laughlin and Hari against the County Defendants with prejudice. ECF No.

¹ On January 11, 2022, Plaintiff Lewis’s claims against Defendant Villergas and the Anoka County Defendants were dismissed pursuant to stipulation. *See* ECF No. 418.

420. Hari filed objections to this R&R. ECF No. 433. Laughlin did not object. The County Defendants filed a response to Hari's objections. ECF No. 437. Because Hari 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 concludes that Magistrate Judge Leung's analysis and conclusions are correct.

In the second R&R, Magistrate Judge Leung recommends granting in part and denying in part as moot Defendant Tessa Villegas' motion to dismiss Plaintiffs' Second Amended Complaint [ECF No. 321], and dismissing Laughlin and Hari's claims against Villegas without prejudice. *See* ECF No. 421 at 8. No party has objected to that R&R, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, that Report and Recommendation [ECF No. 421] will be accepted.

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. 433] are **OVERRULED;**
2. The Reports and Recommendations [ECF Nos. 420, 421] are **ACCEPTED** in full;
3. Defendant Tessa Villegas's Motion to Dismiss Plaintiffs' Second Amended Complaint [ECF No. 321] is **GRANTED IN PART** and **DENIED IN PART AS MOOT;**

4. Plaintiffs Laughlin and Hari's claims against Defendant Villegas are **DISMISSED WITHOUT PREJUDICE;**

5. The County Defendants' Motion for Summary Judgment [ECF No. 357] is **GRANTED;**

6. Plaintiffs Laughlin and Hari's claims against the County Defendants are **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 4, 2022

s/ Eric C. Tostrud _____
Eric C. Tostrud
United States District Court