

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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JERRY T. IRWIN,

Case No. 20-CV-1521 (NEB/HB)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

STEVE SHYDOCK, officer; BRIAN  
NINNEMAN, unit director; SHELBY  
HALVERSON, officer; and BRITT  
ANDERSON, officer,

Defendants.

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The Court has received the September 9, 2020 Report and Recommendation of United States Magistrate Judge Hildy Bowbeer. (ECF No. 7.) No party has objected to that Report and Recommendation, and the Court therefore reviews it 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, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 7) is ACCEPTED;
2. Plaintiff Jerry T. Irwin's application to proceed *in forma pauperis* (ECF No. 2) is DENIED;
3. Irwin's motion for appointment of counsel (ECF No. 4) is DENIED; and

4. This matter is DISMISSED WITHOUT PREJUDICE.

Dated: October 21, 2020

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge