

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Mark Jenni,

File No. 20-cv-2107 (ECT/LIB)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Justin Goldstein and Able Roofing, LLC,

Defendants.

Magistrate Judge Leo I. Brisbois issued a Report and Recommendation on December 14, 2020. ECF No. 3. No party has objected to that Report and Recommendation, 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, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 3] is **ACCEPTED**;
2. The action is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction; and
3. 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: January 5, 2021

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court