

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Gary DeBenedetto,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Mr. Carvajal, et al.,

Civ. 20-2221 (MJD/LIB)

Defendants.

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, no objections having been filed to the Report and Recommendation in the time period permitted, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of Magistrate Judge Brisbois dated March 30, 2021 [Docket No. 4].
2. This action is **DISMISSED without prejudice** under Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with this Court’s February 1, 2021, Order; and
3. Plaintiff’s application to proceed in forma pauperis, [Docket No. 2], is **DENIED as moot.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: April 27, 2021

s/Michael J. Davis
Michael J. Davis
United States District Court