

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jacek Kazmierczak,

Case No. 21-cv-980 MJD/ECW

Plaintiff,

v.

ORDER

National Institute of Standards and
Technology and Shyam Sunder et al,

Defendants.

This matter is before the Court on the Report and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated April 30, 2021. [Doc. No. 3] Plaintiff has filed an objection.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, and in consideration of the applicable law, the Court will adopt the Report and Recommendation in its entirety.

IT IS HEREBY ORDERED that:

1. This matter be DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1406(a); and

2. The application to proceed *in forma pauperis* of plaintiff Jacek Kazmierczak (Dkt. 2) be DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY

DATED: June 7, 2021

s/Michael J. Davis

MICHAEL J. DAVIS

United States District Judge