

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Shawn Duane Lokken,

Civ. No. 23-2537 (JWB/LIB)

Plaintiff,

v.

Hibbing Police Department,
Defendant.

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

United States Magistrate Judge Leo I. Brisbois issued a Report and Recommendation (“R&R”) on October 13, 2023. (Doc. No. 7.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The October 13, 2023 Report and Recommendation (Doc. No. 7) is

ACCEPTED;

2. Plaintiff Shawn Duane Lokken’s Complaint (Doc. No. 1) is **DISMISSED without prejudice** for failure to state a claim;
3. Plaintiff’s IFP Application (Doc. No. 2) is **DENIED as moot**;
4. Plaintiff’s letter request for subpoenas (Doc. No. 4) is **DENIED as moot**;
5. Plaintiff is required to pay the unpaid balance of this action’s statutory

filings fee in the manner prescribed by 28 U.S.C. § 1915(b)(2), and the Clerk of Court shall provide notice of this requirement to the authorities at the institution where Plaintiff is confined.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: November 14, 2023

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge