

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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STEPHEN P. KELLY,

Civil No. 23-3087 (JRT/TNL)

Plaintiff,

v.

**ORDER**

HILLTOP INN MOTEL INC., et al.

Defendants.

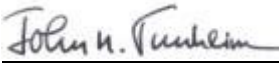
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Stephen P. Kelly, General Delivery, U.S. Post Office, Slayton, MN 56172,  
*pro se* plaintiff.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated December 15, 2023 (ECF No. 5), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: February 5, 2024  
at Minneapolis, Minnesota.

  
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JOHN R. TUNHEIM  
United States District Judge