

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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MARK JENNI,

Case No. 24-cv-3763 (LMP/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

HUBBARD COUNTY SHERRIFF'S  
OFFICE,<sup>1</sup>

Defendant.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Leo I. Brisbois, entered November 25, 2024. ECF No. 6. The R&R recommends dismissing without prejudice Plaintiff Mark Jenni’s complaint for failure to prosecute. *Id.* Neither party objects to the R&R, *see* Fed. R. Civ. P. 72(b)(2), so the Court reviews it for clear error, *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam).

On September 27, 2024, Jenni filed his complaint (ECF No. 1) and an Application to Proceed in District Court Without Prepaying Fees or Costs (“IFP Application”) (ECF No. 2). Magistrate Judge Brisbois denied Jenni’s IFP Application on October 10, 2024, and notified Jenni that his complaint would be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) if he did not pay the filing fee for this matter within thirty days of that date. ECF No. 4 at 2. Jenni did not pay the filing fee before the

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<sup>1</sup> The Court notes that the word “sheriff” was originally misspelled in the case caption.

deadline passed and, in fact, has not communicated with the court since the R&R was issued. As a result, the R&R concludes that Jenni's complaint should be dismissed for failure to prosecute. ECF No. 6. The Court finds no error in the R&R and, in the absence of any objections, adopts the R&R in full.

### **ORDER**

Based on the foregoing, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (ECF No. 6) is **ADOPTED IN FULL**; and
2. Jenni's complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: January 3, 2025

*s/Laura M. Provinzino*

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Laura M. Provinzino  
United States District Judge