

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Daniel Paul Przybylski, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 State of North Dakota; County of Grand Forks, )  
 Brett Burkholder; Administrator, Michael )  
 Pritchard; US Border Patrol, Margo Kern; US )  
 Attorney Office; Sarah G. Geresek and Haley )  
 Wamstad, States Attorney; Debbie Nelson, )  
 County Auditor; Vanessa Richter, police officer;) )  
 Andrew Schneider, Sheriff; Wayne Stenehjem, )  
 Attorney General; Office of Assistant Attorney )  
 General Civil Division at the U.S. Department )  
 Of Justice; Registered Agent Corporation )  
 Service Company North Dakota; The Eye )  
 Doctor; Magistrate Judge Alice R. Senechal; )  
 Judge John Thelen; Judge Jay Knudson; Judge )  
 Jason McCarthy; Judge Donald Hager; Judge )  
 Lolita G. Hartl Romanick; and Sean Marrin )  
 #07847, legal counsel; )  
 )  
 Defendants. )

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 3:19-cv-279

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Plaintiff, Daniel Paul Przybylski, submitted for filing a proposed Notice of Removal, “Affidavit of Truth,” and a motion to proceed in forma pauperis (“IFP”). Doc. Nos. 1 and 3. Magistrate Judge Clare R. Hochhalter reviewed the Plaintiff’s proposed Notice of Removal and motion to proceed IFP, consistent with 28 U.S.C. § 1915(e)(2).

On April 6, 2020, Judge Hochhalter issued a Report and Recommendation, recommending that the Plaintiff’s motion to proceed IFP be denied, the Plaintiff’s case be dismissed with prejudice, and the case be closed. Doc. No. 4. Objections to the Report and Recommendation were to be filed with the Court by April 24, 2020. The Plaintiff filed an objection on April 22, 2020. Doc. No. 5.

The Court has carefully reviewed the Report and Recommendation, the Plaintiff's objection, the relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. Accordingly, the Court **ADOPTS** the Report and Recommendation (Doc. No. 4) in its entirety. The Plaintiff's motion to proceed IFP (Doc. No. 1) is **DENIED**, and this action is **DISMISSED WITH PREJUDICE**. The Clerk's Office is directed to close this case.

Let judgment be entered accordingly.

**IT IS SO ORDERED.**

Dated this 27th day of April, 2020.

/s/ Peter D. Welte  
Peter D. Welte, Chief Judge  
United States District Court