

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

Ricky A. Olson,)
)
Plaintiff,)
)
vs.)
)
Cass County Sheriff, Three Deputy Sheriffs,)
Cass County Medical Staff, and Nursing)
Staff of Cass County,)
)
Defendants.)

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 3:23-cv-179

Plaintiff Ricky A. Olson, proceeding pro se and in forma pauperis, filed a complaint on October 17, 2023, alleging several claims under 42 U.S.C. § 1983. Doc. 16. On January 30, 2024, United States Magistrate Judge Alice R. Senechal issued a Report and Recommendation, recommending Olson be allowed to proceed with his excessive force claim if he is able to identify the three deputies he accused of excessive force. Doc. 43. The Court adopted the Report and Recommendation. Doc. 52. The Report and Recommendation adopted by this Court cautioned that failure to amend the complaint could result in a recommendation that his complaint be dismissed. Doc. 43. The deadline to amend the complaint was later extended to March 15, 2024. Doc. 45. Olson has sent numerous letters to the court, but he has not submitted an amended complaint or otherwise identified the three deputies by name. Doc. 44; Docs. 46-50; Docs. 54-60. Due to Olson’s failure to amend the complaint or otherwise identify the deputies, Judge Senechal issued a Report and Recommendation, recommending the complaint be dismissed. Doc. 62. Objections to the Report and Recommendation were to be filed no later than April 11, 2024. Id. No objections were received.

Having reviewed the Report and Recommendation, the relevant legal authority, and the entire record, the Court agrees with Judge Senechal's analysis. So, the Court **ADOPTS** the Report and Recommendation (Doc. 62). Olson's complaint (Doc. 16) is **DISMISSED WITHOUT PREJUDICE**. Any appeal may not be taken in forma pauperis, as an appeal would be frivolous and could not be taken in good faith.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 8th day of May, 2024.

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