

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

ALLEN RAINES and)	Civ. 08-1016-KES
ERLENE RAINES,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RONALD HOLLINGSWORTH,)	ORDER DISMISSING CASE
LADONNA HOLLINGSWORTH,)	
JACK VON WALD,)	
LONALD L. GELLHAUS,)	
CARLYLE RICHARDS,)	
MARK MCNEARY,)	
LORI EHLERS,)	
KIMBERLY DORSETT,)	
TONY PORTA,)	
SCOTT MYREN,)	
BILL GERDES, and)	
DOUGLAS KENNY, all in their)	
individual)	
and official capacities)	
)	
Defendants.)	

Plaintiffs, Allen Raines and Erlene Rainess, filed a pro se civil complaint asserting various claims against defendants premised on 42 U.S.C. §§ 1983 and 1985. Several pending motions were assigned to United States Magistrate Judge Veronica L. Duffy pursuant to 28 U.S.C. § 636(b)(1)(B) for the purpose of conducting any necessary hearings, including evidentiary hearings.

On September 2, 2009, Magistrate Judge Duffy submitted her report and recommendation for disposition of these pending motions. Plaintiffs were notified in the opinion that they had ten days to file objections to the report. Plaintiffs asked for an extension of time to respond to the report and recommendation. An extension was granted to September 25, 2009. No

objections were filed. De novo review is required to any objections that are timely made and specific. See Thompson v. Nix, 897 F.2d 356 (8th Cir. 1990). Even though no objections were timely filed, the court reviewed the matter de novo, and finds that the magistrate judge's report and recommendation will be adopted in full.

Now, therefore it is hereby

ORDERED that this case is dismissed and the report and recommendation of Magistrate Judge Duffy (Docket 85) is accepted in full as follows:

1. The motion to dismiss of the circuit court judges, Jack Von Wald, Tony Portra, and Scott Myren (Docket 26) is granted.
2. The motion to dismiss of the prosecutors, Mark McNeary, Lori Ehlers, and Kimberly Dorsett (Docket 36) is granted.
3. The motions to dismiss of the private attorneys, Donald Gellhaus (Docket 40), Carlyle Richards (Docket 51), and Bill Gerdes (Docket 65) is granted.
4. The motion to dismiss of policeman Douglas Kenny (Docket 81) is granted.
5. All of the plaintiffs' motions (Docket 13, 18, 19, 21, 22, 57, 58, and 87) are denied as moot.

Dated September 28, 2009.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
CHIEF JUDGE