

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

**Edward Winchester, Jerod Peppers, and Adolph Lawrence v. Kim,
Education Staff Member Kim; Dylan, Correctional Officer; Jillian
Tanaka, Correctional Officer; Kim Fast, Correctional Officer; Hill,
Correctional Officer; Roth, Sergeant; Northwest Regional
Correctional Center, NWRCC; and Minnesota Department of
Corrections, DOC**

Winchester v. Kim · No. Civ. No. 26-651 (JWB/SGE) · Decided March 25, 2026

SUMMARY

The United States District Court for the District of Minnesota accepted a magistrate judge's Report and Recommendation after no timely objections were filed. The court dismissed the case without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Edward Winchester, Jerod Peppers, and Civ. No. 26-651 (JWB/SGE) Adolph Lawrence, Plaintiffs, v. Kim, Education Staff Member Kim; Dylan, Correctional Officer; Jillian ORDER ACCEPTING Tanaka, Correctional Officer; Kim Fast, REPORT AND RECOMMENDATION Correctional Officer; Hill, Correctional OF MAGISTRATE JUDGE Officer; Roth, Sergeant; Northwest Regional Correctional Center, NWRCC; and Minnesota Department of Corrections, DOC, Defendants.

United States Magistrate Judge Shannon G. Elkins issued a Report and Recommendation ("R&R") on March 3, 2026. (Doc. No. 6.) No objections to that R&R have been filed in the time permitted. Absent timely objections, the R&R is reviewed for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996).

Having reviewed the R&R, no clear error is found. Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings in this case, IT IS HEREBY ORDERED that: 1. The March 3, 2026 Report and Recommendation (Doc. No. 6) is ACCEPTED; and 2. This case is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY. Date: March 25, 2026 s/ Jerry W. Blackwell
JERRY W. BLACKWELL United States District Judge

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