

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

**Nathan Christopher Braun v. MCF-Rush City Warden; MNDOC
Commissioner; MNDOC HUR; and MNDOC ISR**

Braun · No. No. 26-CV-00520 (JMB/DLM) · Decided March 9, 2026

OPINION

Braun

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Nathan Christopher Braun, Case No. 26-CV-00520 (JMB/DLM) Petitioner,

ORDER

v. MCF-Rush City Warden; MNDOC Commissioner; MNDOC HUR; and

MNDOC ISR,

Respondents. Nathan Christopher Braun, Rush City, MN, self-represented. Thomas R. Ragatz, Minnesota Attorney General's Office, St. Paul, MN, for Respondents. This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Douglas L. Micko dated January 28, 2026. (Doc. No. 3.) The R&R recommends that Petitioner Nathan Christopher Braun's petition for a writ of habeas corpus be denied because Braun raised issues in his petition that either are not cognizable or for which he failed to exhaust his administrative remedies. (See *id.* at 3–6.) The R&R also recommends that, because the grounds for the petition's dismissal exclude the issuance of certificate of appealability, such a certificate shall not be issued. (*Id.* at 6.) Neither party has objected to the R&R, and the time to do so has now passed. See D. Minn. L.R. 72.2(b)(1). In the absence of timely objections, the Court reviews the R&R for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (*per curiam*). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 3) is ADOPTED.
2. The Petition (Doc. No. 1) is DENIED.
3. Petitioner's pending IFP Application (Doc. No. 2) is DENIED AS MOOT.
4. No certificate of appealability shall issue.
5. The Court dismisses this action without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY. Dated: March 9, 2026 /s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan United States District Court

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