

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Venetia Trischan v. FCI Waseca

Trischan · No. 25-CV-4743 (MJD/DJF) · Decided January 27, 2026

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Venetia Trischan, Case No. 25-CV-4743 (MJD/DJF) Petitioner, v. REPORT AND RECOMMENDATION FCI Waseca, Respondent. In a letter dated December 22, 2025, the Clerk of Court directed petitioner Venetia Trischan to submit the filing fee for this matter or apply for in forma pauperis (“IFP”) status. (ECF No. 2.)

The letter gave Ms. Trischan 15 days to pay the filing fee or submit an IFP application, failing which, the letter warned, this matter could be dismissed. (Id.) That deadline has now passed, and Ms. Trischan has not paid the filing fee or applied for IFP status.

In fact, Ms. Trischan has not communicated with the Court about this case at all since commencing this action. The Court therefore recommends that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. See *Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

RECOMMENDATION Based upon the foregoing, and on all the files, records, and proceedings herein, IT IS HEREBY RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute. Dated: January 27, 2026 s/ Dulce J. Foster Dulce J. Foster United States Magistrate Judge NOTICE Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. See Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).