

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

**Joshua Thompson v. Clay County Sheriffs and Correctional Facility,
and Mike Rapp**

Thompson · No. No. 25-cv-2398 (KMM/JFD) · Decided December 23, 2025

SUMMARY

The United States District Court for the District of Minnesota accepted a magistrate judge’s Report and Recommendation recommending dismissal of Joshua Thompson’s amended complaint without prejudice for failure to state a claim under 28 U.S.C. § 1915A(b)(1). The court denied Thompson’s applications to proceed in forma pauperis and motions to appoint counsel as moot and ordered him to pay the remaining \$344.21 filing-fee balance.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Katherine Menendez
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 23, 2025
DOCKET	No. 25-cv-2398 (KMM/JFD)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of an amended prisoner civil-rights complaint without prejudice for failure to state a claim. No timely objections were filed.
STANDARD OF REVIEW	Clear-error review of the Report and Recommendation in the absence of objections.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not indicated in the opinion.
PARTIES	Joshua Thompson v. Clay County Sheriffs and Correctional Facility, Mike Rapp

TOPICS

prisoners rights

section 1983

pleadings

civil procedure

PRACTICE AREAS

prisoner civil rights

civil procedure

federal courts

QUESTIONS PRESENTED

1. What standard of review applies when a party does not object to a magistrate judge's Report and Recommendation?
2. Whether the Report and Recommendation recommending dismissal of the amended complaint without prejudice for failure to state a claim should be accepted.
3. Whether Thompson was required to pay the remaining unpaid balance of the statutory filing fee.

HOLDINGS

1. When no objections are filed to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error.
2. The Report and Recommendation was accepted, and Thompson's amended complaint was dismissed without prejudice for failure to state a claim upon which relief may be granted.
3. Thompson was required to pay the unpaid balance of \$344.21 of the statutory filing fee in the manner prescribed by 28 U.S.C. § 1915(b)(2).

FACTUAL BACKGROUND

Joshua Thompson filed an amended complaint against the Clay County Sheriffs and Correctional Facility and Mike Rapp. The magistrate judge recommended dismissal for failure to state a claim under 28 U.S.C. § 1915A(b)(1), and recommended denying Thompson's in forma pauperis applications and motions to appoint counsel as moot. Thompson did not submit objections to the recommendation.

PROCEDURAL HISTORY

United States Magistrate Judge John F. Docherty recommended dismissal of Thompson's amended complaint under 28 U.S.C. § 1915A(b)(1), denial as moot of Thompson's applications to proceed in forma pauperis and motions to appoint counsel, and payment of the remaining filing-fee balance. Thompson did not object by the October 23, 2025 deadline. The district court reviewed the R&R for clear error, accepted it, dismissed the amended complaint without prejudice, denied the other motions as moot, and ordered payment of the unpaid filing fee.

DISPOSITION

dismissed

CASES CITED

- Nur v. Olmsted Cnty., 563 F. Supp. 3d 946, 949 (D. Minn. 2021)
- Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)

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