

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Trenton Phelps v. TC/American Crane Company

Phelps · No. 25-CV-0817 (JMB/LIB) · Decided January 22, 2026

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Trenton Phelps, Case No. 25-CV-0817 (JMB/LIB) Petitioner, v. ORDER TC/ American Crane Company, Defendant. This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Leo I. Brisbois dated October 14, 2025. (Doc. No. 36.)

The R&R recommends that the Court dismiss this action without prejudice. (Id.) 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. 36) is ADOPTED; 2. Defendant's Motion to Dismiss (Doc. No. 21) is GRANTED IN PART and DENIED IN PART; and 3. The Complaint (Doc. No. 1) is DISMISSED WITHOUT PREJUDICE. LET JUDGMENT BE ENTERED ACCORDINGLY. Dated: January 22, 2026 /s/ Jeffrey M. Bryan Judge Jeffrey M. Bryan United States District Court