

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Damien Lashaun Nelson v. Dakota County; Dakota County Sheriff's Office, Minnesota; Dakota County Employees John Doe 1–3 and Jane Doe 1–3, whose identities are presently unknown to Plaintiff, in their individual and official capacities; Dakota County Correctional Officers John Doe 1–3 and Jane Doe 1–3; MEnd Correctional Care PLLC; and MEnd Correctional Care PLLC Employees John Doe 1–3 and Jane Doe 1–3, whose identities are presently unknown to Plaintiff, in their individual and official capacities

Nelson v. Dakota County · No. 24-cv-4662 (ECT/LIB) · Decided November 25, 2025

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Damien Lashaun Nelson, File No. 24-cv-4662 (ECT/LIB) Plaintiff, v. ORDER Dakota County; Dakota County Sheriff's Office, Minnesota; Dakota County Employees John Doe 1–3 and Jane Doe 1–3, whose identities are presently unknown to Plaintiff, in their individual and official capacities; Dakota County Correctional Officers John Doe 1–3 and Jane Doe 1–3; MEnd Correctional Care PLLC; and MEnd Correctional Care PLLC Employees John Doe 1–3 and Jane Doe 1–3, whose identities are presently unknown to Plaintiff, in their individual and official capacities, Defendants.

Magistrate Judge Leo I. Brisbois issued a Report and Recommendation (“R&R”) dated October 8, 2025. ECF No. 47. No party has objected to that Report and Recommendation,¹ and it is therefore reviewed for clear error. See Fed. R. Civ. P. 72(b); ¹ The Report and Recommendation was mailed to Plaintiff Damien Lashaun Nelson at his current MCF Rush City address on October 24, 2025.

See ECF Staff note dated Oct. 24, 2025. Mr. Nelson filed a letter with the Court dated November 20, 2025. ECF No. 48. In his letter, Mr. Nelson did not address or object to the Report and Recommendation. See *id.* Rather, he claimed, among other things, that he lacks access to a law library and that prison officials are deliberately hindering his ability to prosecute this case.

See *id.* Mr. Nelson's allegations are conclusory, they do not address this case's merits, and the fact that he was able to file a letter shows he possessed the ability to lodge objections to the Report and Recommendation. *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (*per curiam*). Finding no clear error, and based on all the files, records, and proceedings herein, IT IS ORDERED THAT: 1.

The Report and Recommendation [ECF No. 47] is ACCEPTED as modified. 2. Defendants' Motion to Dismiss [ECF No. 25] is GRANTED IN PART and DENIED IN PART. Plaintiff's Complaint [ECF No. 1] is DISMISSED WITHOUT PREJUDICE. LET JUDGMENT BE ENTERED ACCORDINGLY. Dated: November 25, 2025 s/ Eric C. Tostrud Eric C. Tostrud
United States District Court

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