

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Phillip Horswell v. REM River Bluffs and Wade Welper

No. Civ. No. 25-4507 (JWB/JFD), United States District Court for the District of Minnesota (January 12, 2026)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Phillip Horswell, Civ. No. 25-4507 (JWB/JFD) Plaintiff, v. ORDER ACCEPTING REM River Bluffs, REPORT AND RECOMMENDATION and Wade Welper, OF MAGISTRATE JUDGE Defendants. United States Magistrate Judge John F. Docherty issued a Report and Recommendation (“R&R”) on December 11, 2025. (Doc. No. 4.) No objections have been filed to that R&R in the time permitted.

Absent timely objections, the R&R is reviewed for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found. Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, IT IS HEREBY ORDERED that: 1.

The December 11, 2025 Report and Recommendation (Doc. No. 4) is ACCEPTED; 2. Plaintiff Phillip Horswell’s Complaint (Doc. No. 1) is DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction; and 3. Plaintiff’s Application to Proceed In Forma Pauperis (Doc. No. 2) is DENIED AS MOOT. LET JUDGMENT BE ENTERED ACCORDINGLY. Date: January 12, 2026 _s/ Jerry W. Blackwell_____ JERRY W. BLACKWELL United States District Judge