

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JAMES PAUL AERY,

Case No. 21-CV-2422 (PJS/JFD)

Plaintiff,

v.

ORDER

ROBERT BILLINGS, MEND, BEN
DICKINSON, TODD LEONARD, TATE,
BELTRAMI COUNTY, PATRICIA
GRIMSELY, and COLANDRA ALLEN,

Defendants.

James Paul Aery, plaintiff, pro se.

Dyan J. Ebert and Elle M. Lannon, QUINLIVAN & HUGHES, PA, for defendants.

This matter is before the Court on plaintiff James Paul Aery's objection to the July 21, 2023 Report and Recommendation ("R&R") of Magistrate Judge John F. Docherty. Judge Docherty recommends granting the summary-judgment motions of defendants Robert Billings, Ben Dickinson, Tate Stenson, Beltrami County, Patricia Grimsley, and Calandra Allen. The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Based on that review, the Court adopts the thorough and careful R&R.

ORDER

Based on all of the files, records, and proceedings herein, the Court ADOPTS the R&R [ECF No. 72]. Accordingly, IT IS HEREBY ORDERED THAT:

1. The motion for summary judgment of defendants Robert Billings, Ben Dickinson, Tate Stenson, Beltrami County, Patricia Grimsley, and Calandra Allen [ECF No. 56] is GRANTED.
2. Plaintiff's 42 U.S.C. § 1983 claims against defendants Robert Billings, Ben Dickinson, Tate Stenson, Beltrami County, Patricia Grimsley, and Calandra Allen are DISMISSED WITH PREJUDICE.
3. Plaintiff's state-law assault claims against defendants Robert Billings and Tate Stenson are DISMISSED WITHOUT PREJUDICE.

Dated: August 16, 2023

s/Patrick J. Schiltz

Patrick J. Schiltz, Chief Judge
United States District Court