

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Ilmi I.,

Case No. 25-CV-2272 (PJS/DJF)

Petitioner,

v.

REPORT AND RECOMMENDATION

ICE,

Respondent.

In a letter dated May 29, 2025, the Clerk of Court directed petitioner Ilmi I. to pay the filing fee for this matter or to apply for *in forma pauperis* (“IFP”) status. (See ECF No. 2.) The Clerk gave Petitioner 15 days to submit either the filing fee or an IFP application and warned that failing to do so could result in dismissal of this action without prejudice. *See* Fed. R. Civ. P. 41(b).

That deadline has now passed, and Petitioner has not paid the filing fee for this action or applied for IFP status. In fact, Petitioner has not communicated with the Court about this case at all since commencing this action. Accordingly, consistent with the Clerk’s previous warning, the Court now recommends that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. *Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

RECOMMENDATION

Based upon the foregoing, and on all the files, records, and proceedings herein, IT IS HEREBY RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: June 27, 2025

s/ Dulce J. Foster _____

Dulce J. Foster

United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).