UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America, Plaintiff, v. Harold Bennie Kaeding, Defendant.	File No. 21-cr-169 (ECT/JFD) **ORDER ACCEPTING REPORT AND RECOMMENDATION**

Magistrate Judge John F. Docherty issued a Report and Recommendation on December 11, 2023. ECF No. 171. No party has timely objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam).[1]

Finding no clear error, and based on all the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT**:

1. The Report and Recommendation [ECF No. 171] is **ACCEPTED**; and

2. Defendant's Amended Motion to Suppress Statements [ECF No. 77] is **DENIED**;

[1] Defendant Harold Bennie Kaeding requested and obtained one extension of time to file objections to the Report and Recommendation. *See* ECF Nos. 173, 174. He filed a second extension request that was denied. *See* ECF Nos. 177–178, 180. But Mr. Kaeding did not timely object to the Report and Recommendation. It is true that Mr. Kaeding filed an untimely objection. ECF No. 182. Because these objections were untimely, they will not be considered. Regardless, if Mr. Kaeding's objections were considered, they give no reason to think that the Report and Recommendation might be flawed or would not withstand *de novo* review.

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3. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [ECF No. 78] is **DENIED**; and

4. Defendant's Motion to Suppress Evidence Obtained by Grand Jury Subpoena Duces Tecum [ECF No. 74] is **DENIED**.

Dated: February 14, 2024

s/ Eric C. Tostrud
Eric C. Tostrud
United States District Court