

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

GREGORY GAMACHE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION

No. 11-1085-KHV

ORDER

This matter comes before the Court on Magistrate Judge Karen M. Humphreys' Report And Recommendation (Doc. #4) filed June 14, 2011, regarding plaintiff's Application To Proceed In Forma Pauperis, Supporting Documentation And Order (Doc. #3) filed March 22, 2011. Judge Humphreys recommended that the Court deny plaintiff's motion and dismiss plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) because the United States is immune from this suit, and because the complaint has no arguable basis in law or fact and is frivolous. The deadline for filing objections to the report and recommendation was June 28, 2011. The parties have not objected. The Court has reviewed the report and recommendation by Judge Humphreys and hereby adopts it in its entirety.

IT IS THEREFORE ORDERED that plaintiff's Application To Proceed In Forma Pauperis, Supporting Documentation And Order (Doc. #3) filed March 22, 2011 be and hereby is **OVERRULED**.

IT IS FURTHER ORDERED that plaintiff's complaint be and hereby is **DISMISSED**.

Dated this 7th day of July, 2011 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge