

United States Court of Appeals
For the Eighth Circuit

No. 13-1586

James Ray Thompson, Jr.

Plaintiff - Appellant

v.

Sheriff Ron Stovall; Sgt. Alice Miller, also known as Ms. Miller

Defendants - Appellees

Appeal from United States District Court
for the Western District of Arkansas - Texarkana

Submitted: April 11, 2014

Filed: April 17, 2014
[Unpublished]

Before BYE, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

James Ray Thompson, Jr. appeals the district court's¹ dismissal of his 42 U.S.C. § 1983 action following an evidentiary hearing. For reversal, he argues that the court erred by dismissing his suit as a sanction for failing to file objections to the magistrate judge's report, and he contends that he did not receive the report in time to file objections. Thompson misunderstands the basis for the dismissal of this case. The district court dismissed the case on the merits after adopting the findings and analysis in the magistrate judge's report—not to punish Thompson for failing to file objections. Further, Thompson does not demonstrate, and we cannot discern, that he suffered prejudice by not filing timely objections. The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas, adopting the report and recommendations of the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas.