

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**MARCUS D. EVANS
ADC # 109369**

PLAINTIFF

v.

No. 2:11-cv-235-DPM-JTR

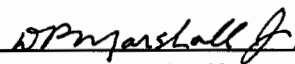
**SHANTA HARDY; OFFICER MOORE; AVERY COX;
BRIAN BARDEN; DAVID RICHARDSON; KENNETH
CARLOCK; DERRICK MULLINS; SHIRELY MCDANIELS;
FARON CLEMMONS; MOSES JACKSON, III; and
JANICE GRAY, all Correctional Officers, East Arkansas
Regional Unit, ADC, all sued in their individual and
official capacities**

DEFENDANTS

ORDER

Evans has not objected to Magistrate Judge J. Thomas Ray's recommendation, *Document No. 77*, that his claims against Officer Moore be dismissed for failure to serve summons in the time allowed. Reviewing for legal error and clear factual error on the face of the record, FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes), the Court adopts Judge Ray's recommendation in full. Evans's claims against Moore are dismissed without prejudice.

So Ordered.



D.P. Marshall Jr.
United States District Judge

8 September 2012