

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

**JOHN RANDALL FUTCH,
REG. #08700-021**

PLAINTIFF

Case No. 2:16-cv-00128 KGB-JTK

WARDEN RIVERA

DEFENDANT

ORDER

The Court has received Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 7). Magistrate Judge Kearney recommends that this Court grant plaintiff John Randall Futch's motion to dismiss petition (Dkt. No. 6). No objections to the Proposed Findings and Recommendations or to Mr. Futch's motion to dismiss have been filed (Dkt. Nos. 6, 7). After a review of those Proposed Findings and Recommendations, the Court adopts them in their entirety.

Accordingly, it is ordered that Mr. Futch's motion to dismiss petition is granted, and Mr. Futch's complaint is dismissed without prejudice.

It is so ordered this 6th day of December, 2016.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE