

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**MARVIN A. ACKLIN,
ADC #087448**

PLAINTIFF

v.

CASE NO: 5:13CV00363 BSM

RAY HOBBS et al.

DEFENDANTS

ORDER

The proposed findings and recommendations submitted by United States Magistrate Judge Jerome T. Kearney have been reviewed. No objections have been filed. After careful consideration, it is concluded that the proposed findings and recommendations should be, and hereby are, adopted in part and rejected in part.

IT IS, THEREFORE, ORDERED that:

1 Defendants' motion to dismiss [Doc. No. 26] is granted and plaintiff's complaint is dismissed without prejudice.

2 Defendants' motion to compel [Doc. No. 24] is dismissed as moot.

IT IS SO ORDERED this 18th day of November 2014.


UNITED STATES DISTRICT JUDGE