

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

KEVIN POTTER

PLAINTIFF

vs.

Civil No. 1:11-cv-1067

JERRY LANGLEY, et al

DEFENDANTS

JUDGMENT

Before the Court is the Report and Recommendation filed April 4, 2012, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 19). Judge Bryant recommends that the above-styled case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 12(b)(5) for failure to properly effect service of process upon Defendants. The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**. Separate Defendant Mid-Continent Insurance Company's Motion to Dismiss (ECF No. 20) is **DENIED AS MOOT**.

IT IS SO ORDERED, this 1st day of May, 2012.

/s/ Susan O. Hickey
Hon. Susan O. Hickey
United States District Judge