

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

UNITED STATES DEPARTMENT  
OF LABOR

PETITIONER

v.

Case No. 1:13-mc-00008

KEITH WEST ET AL.

RESPONDENTS

**ORDER**

Before the Court is the Report and Recommendation filed January 10, 2014, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 20). Judge Bryant recommends Respondents' Motion to Dismiss (ECF No. 6) be granted.

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). The Court adopts the Report and Recommendation *in toto*. Accordingly, the Court finds that service on Respondents was improper. Respondents' Motion to Dismiss (ECF No. 6) should be and hereby is GRANTED. Petitioner's case is DISMISSED WITHOUT PREJUDICE. All other pending motions are denied as moot. (ECF Nos. 1, 3, & 14).

**IT IS SO ORDERED**, this 20th day of January, 2015.

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