

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

ROBERT SCOTT PHILPOTT

PLAINTIFF

v.

Case No. 08-2131

THE UNITED STATES OF AMERICA, *et al.*

DEFENDANTS

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**ORDER**

Now on this 28th day of April 2009, there comes on for consideration the report and recommendation filed herein on March 31, 2009, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 6). No objections have been filed.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's Complaint is DISMISSED on the grounds that the claims are frivolous, asserted against individuals who are immune from suit, or fail to state claims on which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (IFP action may be dismissed on such grounds at any time).

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge