

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

WILLIAM F. CARADINE/ASSABUR

PLAINTIFF

v.

Case No. 11-2008

SEBASTIAN COUNTY CIRCUIT COURT, *et al.*

DEFENDANTS

**ORDER**

Now on this 14th day of February 2011, there comes on for consideration the report and recommendation filed herein on January 14, 2011, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 11). Plaintiff did not file timely, written objections.

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 asserted against individuals who are immune from suit or who are not state actors for purposes of Section 1983 litigation. See 28 U.S.C. § 1915(e)(2)(B) (IFP action may be dismissed on such grounds at any time). Plaintiff is advised that this dismissal is considered a "strike" for purposes of the Prison Litigation Reform Act. 28 U.S.C. § 1915(g). The U.S. District Clerk is directed to collect the \$350.00 filing fee from Plaintiff. Finally, Plaintiff's Motion to Proceed IFP (doc. 1) is DENIED, and Plaintiff's Motions for Relief and to Amend (docs. 4-5) are DENIED AS MOOT.

IT IS SO ORDERED.

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