

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

JIMMY DEWAYNE BURDETTE

PLAINTIFF

v.

Case No. 11-2128

COLONEL J.R. HOWARD, Director,
Arkansas State Police, et al.

DEFENDANTS

ORDER

Now on this 20th day of September 2011, there comes on for consideration the report and recommendation filed herein on August 8, 2011, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 4). Also before the Court is Plaintiff's Response to Recommendation of the Magistrate Judge and Motion to Transfer Jurisdiction (doc. 5).

The court has reviewed this case *de novo* 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 Motion to Proceed IFP (doc. 3) and to transfer (doc. 5) are DENIED, and Plaintiff's Complaint is DISMISSED on the grounds that the claims are frivolous, fail to state claims on which relief can be granted, asserted against individuals who are immune from suit, or are not presently cognizable. 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