

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

SHAWN ROBERT GOING

PLAINTIFF

v.

Case No. 2:12-CV-02035

LT. VENA CUPP; JEFF MARVIN; SHERIFF
RON BROWN; JACOB MCCOLLUM;
MATTHEW LANGLEY; CPL. ISAREL BURGOS;
RICHARD SMITH, Inmate; DAKOTA CARLILE;
DILLION TRAIT; and JAMES LONG

DEFENDANTS

ORDER

Currently before the Court is the Report and Recommendation (Doc. 7) filed in this case on March 15, 2012, by the Honorable James R. Marschewski, Chief United States Magistrate for the Western District of Arkansas. More than fourteen (14) days have passed without objections being filed by the parties.

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, for the reasons stated in the Magistrate Judge's Report and Recommendation, Plaintiff's claims against Separate Defendants Richard Smith, Dakota Carlile, Dillion Trait, and James Long are **DISMISSED WITH PREJUDICE** on the grounds that the claims are frivolous and fail to state claims upon which relief may be granted. Plaintiff's claims based on the remaining Defendants' failure to file criminal charges against those four inmates are likewise **DISMISSED** for failure to state a claim. This matter remains pending as to the adjudication of Plaintiff's remaining claims against the remaining Defendants.

IT IS SO ORDERED this 10th day of May, 2012.

P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE