

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

TOM EDWARD HENDERSON

PLAINTIFF

v.

Case No. 13-2126

SERGEANT LAMBERT and MRS.
JEANETTA, both working at
the Sebastian County Detention
Center and both sued in their
individual and official capacities

DEFENDANTS

ORDER

Now on this 13th day of March 2014, there comes on for consideration the report and recommendation filed herein on January 31, 2014, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 18). 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 for failure to state a claim under 42 U.S.C. § 1983. See 28 U.S.C. § 1915(e)(2)(B) & 1915A(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).

IT IS SO ORDERED.

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