

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

DANIEL ERIC COBBLE

PLAINTIFF

v.

Case No. 2:14-CV-02183

CITY OF CLARKSVILLE, ARKANSAS; and
THE ARKANSAS STATE PATROL

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations (Doc. 10) from Chief United States Magistrate Judge James R. Marschewski.¹ The Court has conducted a careful review of the findings and recommendations and of the objections (Doc. 11) filed by Plaintiff.

The Court finds the Magistrate's reasoning to be sound and further finds that Plaintiff's objections offer neither law nor fact requiring departure from the Magistrate's findings. The Court therefore concludes that the findings and recommendations should be, and hereby are, approved and adopted as this Court's findings in all respects in their entirety. Accordingly, for the reasons stated in the magistrate judge's report and recommendations, Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 1) is DENIED, and Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE to Plaintiff's right to re-open it with payment of the appropriate filing fee, pursuant to the three strikes rule set forth in 28 U.S.C. § 1915(g).

Plaintiff may file a motion to re-open this action only upon payment to the United States District Clerk of the applicable filing fee. Plaintiff is advised that, in the event he tenders the filing fee and this case is re-opened, Plaintiff will also be responsible for other costs associated with this action, including costs of service and fees for the issuance of any requested subpoenas.

¹ Judge Marschewski is now retired and on recall status, but was Chief Magistrate at the time the report was entered.

The Clerk is directed to put a “barred” flag on this case.

Judgment will be entered accordingly.

IT IS SO ORDERED this 5th day of February, 2015.

/s/ P. K. Holmes, III

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