

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

BRYAN McGUIRE and
DANA McGUIRE

PLAINTIFFS

v.

Case No. 2:16-CV-02198

KOMAR SCREW CORPORATION
and
MARVIN KOCIAN

DEFENDANTS

ORDER

The Court has received the proposed report and recommendation (Doc. 20) from United States Magistrate Judge Mark E. Ford. No objections have been filed. The Court has conducted a careful review of the report and recommendation that recommends denial of the Defendants' motion to transfer case to the Arkansas Workers Compensation Commission or dismiss Plaintiffs' complaint (Doc.12). After reviewing the record *de novo*, the Court finds the Magistrate's reasoning to be sound and that the report and recommendation should be adopted.

The Court therefore concludes that the report and recommendation should be, and hereby is, approved and adopted, and the Court DENIES Defendants' motion to transfer case to the Arkansas Workers Compensation Commission and DENIES the motion to dismiss the Plaintiffs' complaint (Doc. 12). Further, the Court REMANDS the case to the Circuit Court of Sebastian County, Arkansas for further proceedings before that Court. A judgment will be entered accordingly.

IT IS SO ORDERED this 3rd day of January, 2017.

P. K. Holmes, III

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