

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

BRIAN HILL

PLAINTIFF

v.

No. 2:16-CV-02205

SHERIFF BILL HOLLENBECK, et al.

DEFENDANTS

**ORDER**

The Court has received a report and recommendation (Doc. 78) from United States Magistrate Judge Mark E. Ford. No objections have been filed and the deadline to file objections has passed. The Magistrate recommends that the Court dismiss Plaintiff's claims against Defendant Rebecca Bennett without prejudice. The Court has conducted careful review of this case, and notes that the caption on the report and recommendation incorrectly identifies Plaintiff. This is clearly just a scrivener's error. The Court received a separate report and recommendation from the same Magistrate on the same date the report and recommendation in this case was filed. *See Ernest Lynn Roberts v. Supervisor Cindy Moore*, No. 2:16-CV-02017, Doc. 49 (Oct. 2, 2017). The report and recommendation in Mr. Roberts's case recommended a similar disposition for nearly identical circumstances, and apparently provided the framework for the Magistrate in drafting the report and recommendation in the instant case. Transposing Mr. Roberts's name for Mr. Hill's name in the caption of the report and recommendation in this case has no substantive effect on the outcome. With this correction noted, the report and recommendation is otherwise proper, contains no clear error, and is ADOPTED AS AMENDED.

IT IS THEREFORE ORDERED that Plaintiff's claims against Defendant Rebecca Bennett are DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 20th day of October, 2017.

*/s/ P. K. Holmes, III*

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