

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

DALE B. ADAMS

PLAINTIFF

v.

Case No. 3:10-CV-03117

UNITED STATES DEPARTMENT OF JUSTICE;  
and ERIC H. HOLDER, UNITED STATES  
ATTORNEY GENERAL

DEFENDANTS

**ORDER**

Currently before the Court is the Report and Recommendation (Doc. 44) filed in this case on August 8, 2012, by the Honorable James R. Marschewski, Chief United States Magistrate Judge for the Western District of Arkansas. The objection period has passed without objections being filed by either party.<sup>1</sup>

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 Recommendations, IT IS ORDERED that Plaintiff's Motion for Summary Judgment (Doc. 28) is DENIED.

IT IS FURTHER ORDERED THAT Defendants' Motion for Summary Judgment (Doc. 35) is GRANTED IN PART and DENIED IN PART. Defendants' Motion is granted insofar as Plaintiff's FOIA claims concerning Documents 1 and 2, the expedited processing claim, the APA

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<sup>1</sup> The Court notes that, subsequent to the entry of the Report and Recommendation in this case, Mr. Adams did ask the Court on August 10, 2012, in case 3:12-cv-03076-PKH, to dismiss "every FOIA case" he had filed with this Court, including the instant matter. (Doc. 4, case 3:12-cv-03076-PKH). He withdrew that request just 13 days later on August 23, 2012. (Doc. 5, case 3:12-cv-03076-PKH).

claim, the EAJA claim, the ARRA claim, and the Patriot Watch List claim are DISMISSED.  
Defendants' Motion is denied with respect to Plaintiff's FOIA claim concerning Document 3.

IT IS FURTHER ORDERED that Defendants are directed to submit Document 3 for *in camera* review by the Court by October 5, 2012.

IT IS SO ORDERED this 26th day of September, 2012.

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

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