

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

DAVID STEBBINS

PLAINTIFF

v.

Case No. 3:12-CV-03039

LEW MARCZUK, Public Defender; and  
TIMOTHY BUNCH, Public Defender

DEFENDANTS

**ORDER**

Currently before the Court is the Report and Recommendation (Doc. 5) filed in this case on April 5, 2012, by the Honorable James R. Marschewski, Chief United States Magistrate for the Western District of Arkansas. More than fourteen (14) days have passed without objections being filed by the parties.

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 Recommendation, Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**. Furthermore, the Court finds that this case should be counted as a strike under 28 U.S.C. § 1915(g). As such, the Clerk is directed to place a § 1915(g) strike flag on the case. All motions remaining pending in this matter are **DENIED AS MOOT**.

IT IS SO ORDERED this 10th day of May, 2012.

*P. K. Holmes, III*

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