

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

MARK D. DUNDEE

PLAINTIFF

vs.

Civil No. 4:08-cv-4127

SHERIFF LINDA RAMBO, et al.

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed February 3, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 57). Judge Bryant recommends that Defendants' Motion for Summary Judgment be granted. Plaintiff has responded with timely objections. (ECF No. 58). After reviewing the record *de novo*, the Court adopts Judge Bryant's Report and Recommendation as its own.

Most of Plaintiff's objections to the Report and Recommendation are based on Plaintiff's alleged lack of access to a law library with "federal law books." However, the Court agrees with Judge Bryant that, in order to proceed with a denial of access to the court claim, a prisoner must demonstrate that he was actually harmed or injured by the result of the denial of access. *Klinger v. Dep't of Corr.*, 107 F.3d 609, 617 (8th Cir. 1997). Here, Plaintiff has not specifically shown how he was injured or harmed by the alleged inadequacy of the law library. Instead, Plaintiff generally argues that the defendants would not be entitled to summary judgment if he had access to a law library with federal law books.

The Court has reviewed all of Plaintiff's objections and finds no merit in the objections. Accordingly, for reasons stated herein and above, as well as those contained in Judge Bryant's Report and Recommendation (ECF No. 57), Defendants' Motion for Summary Judgment (ECF No. 34) is **GRANTED** and Plaintiff's complaint (ECF No. 1) is **DISMISSED**.

IT IS SO ORDERED, this 28th day of February, 2011.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge