

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

JERRY LEE HAWKINS

PLAINTIFF

VS.

CASE NO. 09-CV-4118

JERRY CRANE, *et al.*

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed December 15, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 79). Judge Bryant recommends that Plaintiff's Motion for Default Judgment (ECF No. 77) as to Defendant Emanuel Harris be denied as premature due to the need for a hearing regarding damages that would most reasonably be held after a pending motion for summary judgment is ruled upon. The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's Motion for Default Judgment (ECF No. 77) is **DENIED** as premature.

**IT IS SO ORDERED**, this 4th day of January, 2012.

/s/ Susan O. Hickey  
Hon. Susan O. Hickey  
United States District Judge