

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

RICHARD KEISTER

PLAINTIFF

vs.

Civil No. 4:10-cv-4041

WARDEN TURNER, Miller County  
Correctional Facility; DR. NASH; and  
JAIL NURSING STAFF

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed September 22, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 23). Judge Bryant recommends that Defendants' Motions to Dismiss to Dismiss (Docs. 14 and 17) be granted. Plaintiff has 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*. The Motions to Dismiss (Docs. 14 and 17) are hereby **GRANTED**. Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**. Plaintiff may re-file his complaint one he has exhausted his administrative remedies.

**IT IS SO ORDERED**, this 14th day of October, 2010.

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