

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

KATIE THOMAS and
MARILYN M. RATCLIFF

PLAINTIFFS

V.

CASE NO. 10-CV-4042

UNITED STATES OF AMERICA

DEFENDANT

JUDGMENT

Before the Court is the Report and Recommendation filed November 30, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 26). Judge Bryant recommends that Defendant's Motion to Dismiss (Doc. 8) be denied as moot. 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*. Accordingly, Defendant's Motion to Dismiss (Doc. 8) is **DENIED AS MOOT**.

IT IS SO ORDERED, this 20th day of December, 2010.

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