

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

KATIE THOMAS and
MARILYN RATCLIFF

PLAINTIFFS

vs.

Civil No. 4:10-cv-4042

UNITED STATES OF AMERICA

DEFENDANT

JUDGMENT

Before the Court is the Report and Recommendation filed January 24, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 33. Judge Bryant recommends that this Court grant Defendant's Motion to Dismiss (ECF No. 27) and dismiss this case without prejudice on the basis that Separate Plaintiff Marilyn Ratcliff has failed to exhaust her administrative remedies. Plaintiffs 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*. Defendant's Motion to Dismiss (ECF No. 27) is **GRANTED** and Plaintiffs' claims are **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 16th day of February, 2011.

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