

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

ALLIANZ LIFE INSURANCE  
COMPANY OF NORTH AMERICA

PLAINTIFF

vs.

Civil No. 4:10-cv-04068

JERRY W. SCOGGINS, JR. and  
BRONSON S. SCOGGINS

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed September 21, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 16). Judge Bryant recommends that Defendant's Motion to Dismiss to Dismiss under Rule (12)(b)(1) for Lack of Subject Matter Jurisdiction (Doc. 4) be denied. Separate Defendant, Jerry W. Scoggins, Jr., 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 Motion to Dismiss under Rule (12)(b)(1) for Lack of Subject Matter Jurisdiction (Doc. 4) is hereby **DENIED**.

**IT IS SO ORDERED**, this 12th day of October, 2010.

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