Dockery v. Garland, City of Doc. 12

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

YVONNE DOCKERY PLAINTIFF

V. CASE NO. 10-CV-4071

CITY OF GARLAND
c/o ARKANSAS INSURANCE
DEPARTMENT RISK
MANAGEMENT DIVISION DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed March 10, 2011, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 9). Judge Marschewski recommends that the current action be dismissed as it fails to state a claim under 42 U.S.C. § 1983. Plaintiff has responded with timely objections. (ECF Nos. 10 and 11). After reviewing the record de novo, the Court adopts Judge Marschewski's Report and Recommendation as its own.

Plaintiff's objections state that she is in prison because of false accusations. Her objections also reiterate her allegations against certain city council members for conspiracy. Further, Plaintiff claims that Judge Marschewski should have recused from this case. The Court has conducted the required de novo review of the portions of the Report and Recommendation to which Plaintiff objected and finds that Plaintiff's objections are without merit. The Court is satisfied that Judge Marschewski's recommended disposition is correct and should be adopted. Accordingly, the Report and Recommendation (ECF No. 9) is adopted and this action is DISMISSED for failure to state a claim under 42 U.S.C. § 1983.

IT IS SO ORDERED, this 28th day of March, 2011.

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

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