

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

JAY W. LEE

PLAINTIFF

v.

Case No. 4:10-CV-04076

WARDEN TURNER, Miller County  
Correctional Facility; and  
OFFICER CHAPLIN WHITE, Miller  
County Correctional Facility

DEFENDANTS

**O R D E R**

On this 23rd day of June 2011, there comes on for consideration the Report and Recommendation (Doc. 40) filed in this case on May 31, 2011, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. Fourteen (14) days have passed without objections being filed by the parties.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, Plaintiff's Motion to Dismiss is **GRANTED**. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a)(2).

IT IS SO ORDERED this 23rd day of June 2011.

*/s/ Paul K. Holmes, III*

PAUL K. HOLMES, III  
UNITED STATES DISTRICT JUDGE