

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

MICHAEL R. SNELL

PLAINTIFF

v.

Case No. 4:10-cv-4095-DPM

**MIKE OGLESBY and
JOHN DOES, Deputy Marshals**

DEFENDANTS

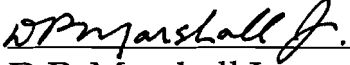
ORDER

The Court has considered Magistrate Judge Beth Deere's Partial Recommended Disposition, *Document No. 57*. No one has objected. Having reviewed the proposal for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition), and for legal error, the Court adopts the proposal as its own.

Oglesby's motion to dismiss, *Document No. 52*, is granted in part and denied in part. Snell's claims against Oglesby in his individual capacity are dismissed with prejudice. His remaining claims against the John Doe Deputy Marshals, however, are transferred to the United States District Court for the Eastern District of Texas, Texarkana Division, where the other portion of Snell's case is pending. *In re Nine Mile Limited*, 673 F.2d 242, 243 (8th Cir.

1982). Oglesby's earlier motion to dismiss, *Document No. 32*, is denied as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge

23 September 2011