

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

TERRY SCOTT

PLAINTIFF

v.

Case No. 4:10-CV-04153

SHERIFF RON STOVALL; CAPTAIN
HARTLINE; CAPTAIN HEINTZLEMAN;
SGT. BALISS; SGT. LAFAYETTE; SGT.
GILES; SGT. RAGS; SGT. WELCH;
SGT. MILLER; MS. BOBBY, Aramark;
and T. GREEN, Aramark

DEFENDANTS

O R D E R

On this 21st day of June 2011, there comes on for consideration the Amended Report and Recommendation (Doc. 33) filed in this case on April 26, 2011, by the Honorable Barry A. Bryant, 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, for the reasons stated in the Magistrate Judge's Report and Recommendation, the Motions to Dismiss filed by Ms. Bobby and T. Green (Doc. 9) and all remaining defendants except Captain Heintzleman (Doc. 25) are **GRANTED**. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**. Jack Heintzleman has been served but has not yet filed his answer. As the Court has found that no constitutional violation exists, the claims against Heintzleman are

also subject to dismissal and are likewise **DISMISSED WITH PREJUDICE.**

It appearing to the Court that the Amended Report and Recommendation (Doc. 33) supersedes the Report and Recommendation that had been previously filed (Doc. 32), the previously filed Report and Recommendation is hereby TERMINATED AS MOOT.

IT IS SO ORDERED this 21st day of June 2011.

/s/ Paul K. Holmes, III

**PAUL K. HOLMES, III
UNITED STATES DISTRICT JUDGE**