

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

THOMAS E. RIDGELL

PLAINTIFF

v.

Case No. 4:10-CV-04182

JUDGE AUTREY, Miller County,
Arkansas; SGT. MILLER (female),
Miller County Correctional
Facility; BRET HALTOM & CARLTON
JONES, Prosecuting Attorneys,
Miller County; JUDGE WYRICKE,
Miller County; DEPARTMENT OF
HUMAN SERVICES (DHS); and JEN
MAGNO, DHS

DEFENDANTS

ORDER

On this 23rd day of June 2011, there comes on for consideration the Report and Recommendation (Doc. 9) filed in this case on April 21, 2011, by the Honorable Barry A. Bryant, United States Magistrate for the Western District of Arkansas. Also before the Court are Plaintiff's objections (Doc. 11).

The court has reviewed this case and, being well and sufficiently advised, finds as follows: Although the objections filed by Plaintiff indicate that the Report and Recommendation was received by Plaintiff on May 5, 2011, the objections were not filed until May 20, 2011 - well after the May 9, 2011 deadline. Even allowing the Plaintiff three days for mailing, the objections would be untimely. Furthermore, Plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation. Although Plaintiff has alleged some new facts, the Court remains unable to find a cognizable claim for which relief may be granted,

and dismissal remains appropriate. 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, Plaintiff's request to proceed *in forma pauperis* is hereby **DENIED** and Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

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

/s/ Paul K. Holmes, III

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