

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

CARL JOHNSON and  
JUSTIN JOHNSON

PLAINTIFFS

vs.

Civil No. 4:11-cv-04033

CITY OF NASHVILLE,  
A MUNICIPAL CORPORATION, et al.

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed on July 21, 2011 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 16). Judge Bryant recommends that Separate Defendants' Motion to Dismiss (ECF No. 3) be denied as moot. The parties have not filed objections to this Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. The Court finds that Separate Defendants' Motion to Dismiss (ECF No. 3) should be and hereby is DENIED AS MOOT.

**IT IS SO ORDERED**, this 15th day of August, 2011.

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