

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

CARL JOHNSON and
JUSTIN JOHNSON

PLAINTIFFS

VS.

Civil No. 4:11-cv-4033

CITY OF NASHVILLE
A MUNICIPAL CORPORATION, *et al*

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed January 12, 2012, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 40). Judge Bryant recommends that Defendants' Motion to Dismiss Plaintiffs' Amended and Substituted Complaint (ECF No. 14) be denied as moot in light of the Second Amended and Substituted Complaint (ECF No. 30) that was filed by Plaintiffs subsequent to the motion to dismiss. The parties have not filed objections to the 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*. Defendants' Motion to Dismiss (ECF No. 14) is **DENIED AS MOOT**.

IT IS SO ORDERED, this 31st day of January, 2012.

/s/ Susan O. Hickey
Hon. Susan O. Hickey
United States District Judge