

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

TERRELL M. DAVIS

PETITIONER

vs.

Civil No. 4:12-cv-4103

RAY HOBBS, Director
Arkansas Department of Corrections

RESPONDENT

ORDER

Before the Court is the Report and Recommendation filed November 7, 2012, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 9). Judge Bryant recommends that the above-styled case be dismissed without prejudice in accordance with the request contained in Petitioner's Motion to Stay or Hold in Abeyance or in the Alternative Motion to Dismiss Without Prejudice. (ECF No. 8). 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*. Petitioner's claims are **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 28th day of November, 2012.

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