

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

DON EARL LEWIS

PLAINTIFF

V.

CASE NO. 13-CV-4002

CIRCUIT COURT JUDGE
BRENT HALTOM

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed June 25, 2013, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 8). Judge Bryant recommends that Plaintiff's Complaint (ECF No. 1) be DISMISSED pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(I-iii) and 1915A(a). Plaintiff has responded with timely objections (ECF No. 9).

In his objections, Plaintiff merely offers more details about his history with Judge Haltom and again accuses Judge Haltom of bias against him during criminal proceedings. The Court, however, agrees with Judge Bryant's decision that Judge Haltom is entitled to absolute immunity for all judicial actions not taken in complete absence of all jurisdiction. *See Penn v. U.S.*, 335 F.3d 786, 789 (8th Cir. 2003); *Robinson v. Freeze*, 15 F.3d 107, 108 (8th Cir. 1994). Plaintiff has made no accusation that Judge Haltom acted outside his jurisdiction or in a nonjudicial capacity. The Court, therefore, being well and sufficiently advised, finds that Plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation. After reviewing the record *de novo*, the Court adopts the Report and Recommendation *in toto*.

Accordingly, Plaintiff's Complaint (ECF No. 1) is **DISMISSED** pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(I-iii) and 1915A(a). The dismissal of this action constitutes a "strike" under 28 U.S.C. § 1915(g), and the Clerk is directed to place a § 1915(g) strike flag on the case.

IT IS SO ORDERED, this 6th day of January, 2014.

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