

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

TERRELL PANKEY and
SMITH COUNTY STONE, LLC

PLAINTIFFS

v.

Case No. 4:13-cv-04046

WESTERN ARKANSAS ROCK, INC.;
AMELIA MINERALS, LLC; DAVID J.
POTTER; BILLY JOE DUFFIELD; LARRY
DUFFIELD; LUKE B. DUFFIELD; and
RANDY DUFFIELD

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed January 28, 2015 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 94). Judge Bryant recommends that the Motion for Summary Judgment filed by separate defendants Randy Duffield, Larry Duffield, Luke B. Duffield, Billy Joe Duffield (now deceased, brought through administratrix Mable Earnestine Duffield), and Amelia Minerals, LLC be granted.

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). The Court adopts the Report and Recommendation *in toto*. The Motion for Summary Judgment of the Separate Defendants Randy Duffield, Larry Duffield, Luke B. Duffield, Billy Joe Duffield (now deceased, brought through administratrix Mable Earnestine Duffield), and Amelia Minerals, LLC (ECF No. 69) is hereby GRANTED in its entirety, and all Plaintiffs' causes of action against these Separate Defendants are dismissed.

IT IS SO ORDERED, this 20th day of February, 2015.

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