

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

DAVID KINDLE, III

PLAINTIFF

v.

Case No. 4:14-cv-04159

SHERIFF RON STOVALL;
OFFICER BYRON GRIFFIN; and
JOHN DOE OFFICER

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 5). Judge Marschewski recommends that Plaintiff's Complaint (ECF No. 1) be dismissed without prejudice on the grounds that Plaintiff has failed to comply with an Order of the Court to complete and file an in forma pauperis application or pay the \$400 filing fee and has otherwise failed to prosecute this matter.

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*. Accordingly, all of Plaintiff's claims against Defendants are **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 31st day of March, 2015.

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