

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

RUSTY E. JOYNER

PLAINTIFF

V.

CASE NO. 4:16-CV-04094

NURSE KINDALL SMITH; and  
DR. LOMAX

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed March 9, 2017, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 20). Judge Bryant recommends that Defendants' Motion for Summary Judgment (ECF No. 15) be granted and that Plaintiff's claims be dismissed without prejudice.

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). Accordingly, the Court adopts Judge Bryant's Report and Recommendation *in toto*. Defendants' Motion for Summary Judgment (ECF No. 15) is hereby **GRANTED** and Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 11th day of April, 2017.

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