

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

TYLER MILLER

PLAINTIFF

v.

Case No. 4:17-cv-04104

TYSON FOODS, INC.

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed on January 23, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 21. Judge Bryant recommends that Plaintiff's Motion to Dismiss (ECF No. 19) be granted and that this case 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). Upon review, the Court adopts Judge Bryant's Report and Recommendation *in toto*. Accordingly, Plaintiff's Motion to Dismiss (ECF No. 19) should be and hereby is **GRANTED** and this matter is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 12th day of February, 2019.

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