

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

BERNARD JONES

PLAINTIFF

v.

Civil No. 4:19-cv-4009

HEMPSTEAD COUNTY PROBATION
AND PAROLE OFFICE,¹ *et al.*

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed July 18, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 25). Judge Bryant recommends that the Court grant Separate Defendant Arkansas Department of Community Corrections' ("ACC") Motion to Dismiss (ECF No. 22) and dismiss Plaintiff's claims against ACC pursuant to the doctrine of sovereign immunity.

No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation (ECF No. 25) *in toto*. Accordingly, Separate Defendant Arkansas Department of Community Corrections' Motion to Dismiss (ECF No. 22) is hereby **GRANTED**. Plaintiff's claims against Separate Defendant Arkansas Department of Community Corrections are **DISMISSED WITH PREJUDICE**.²

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

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

¹ Plaintiff sued, *inter alia*, the "Hempstead County Probation and Parole Office." However, Judge Bryant noted that the proper defendant is the Arkansas Department of Community Corrections. Thus, the remainder of this order will refer to Separate Defendant Hempstead County Probation and Parole Office as the Arkansas Department of Community Corrections.

² ACC's motion to dismiss also requested that the dismissal count as a strike for purposes of 28 U.S.C. § 1915(g). Judge Bryant made no finding or recommendation as to that request and ACC has not objected. Accordingly, this order will not count this dismissal a strike.