

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

BERNARD JONES

PLAINTIFF

v.

Civil No. 4:19-cv-4009

TYSON FOODS

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed August 23, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 32). Judge Bryant recommends that the Court grant Separate Defendant Tyson Foods' Motion to Dismiss (ECF No. 27) and dismiss Plaintiff Bernard Jones' claims against Tyson pursuant to Federal Rule of Civil Procedure 12(b)(6). Specifically, Judge Bryant finds that Plaintiff failed to state a cognizable claim against Tyson under 42 U.S.C. § 1983 upon which relief may be granted.

Plaintiff has not 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. 32) *in toto*. Accordingly, Separate Defendant Tyson Foods' Motion to Dismiss (ECF No. 27) is hereby **GRANTED**. Plaintiff's claims against Separate Defendant Tyson Foods are **DISMISSED WITHOUT PREJUDICE**. All defendants in this matter have now been dismissed, so the Clerk of Court is directed to close this case.

**IT IS SO ORDERED**, this 10th day of September, 2019.

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