

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

JAMES M. RAPER, JR.

PLAINTIFF

v.

Civil No. 4:21-cv-4050

THOMAS DEEN, Prosecuting Attorney;
GOVERNOR ASA HUTCHINSON; and
CIRCUIT JUDGE CREWS PURYEAR

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed September 10, 2021, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 11). Plaintiff has filed a Complaint against prosecuting attorney Thomas Deen, Arkansas Circuit Judge Crews Puryear, and Governor Asa Hutchinson, alleging that he has been kidnapped and falsely imprisoned because of an alleged plea agreement entered into by Defendant in Bradley County, Arkansas. (ECF No. 1). Plaintiff alleges that the plea agreement bearing his signature was forged and that Defendants Deen and Judge Puryear were directly involved in having Plaintiff placed in unconstitutional conditions of confinement. Plaintiff has also named Governor Hutchinson as a Defendant on the grounds that Hutchinson has failed to act in remedying the false imprisonment.

The Court referred Plaintiff's Complaint to Judge Bryant for preservice screening pursuant to the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915A. Judge Bryant recommends that the Court dismiss Plaintiff's Complaint because each claim presented is barred by certain applicable immunities. Judge Bryant also recommends that the Court certify that an appeal from this action would not be taken in good faith.

Plaintiff filed timely objections to the Report and Recommendation. (ECF No. 12). However, Plaintiff's objections make no mention of any applicable immunity upon which Judge Bryant recommends that the case be dismissed. Because Plaintiff has failed to make specific objections to the Report and Recommendation, he is not entitled to *de novo* review by this Court. *See* 28 U.S.C § 636(b)(1). Therefore, finding no clear error in the Report and Recommendation, the Court adopts the Report and Recommendation (ECF No. 11) *in toto*. Plaintiff's Complaint is hereby **DISMISSED**.

The Court further **CERTIFIES** that an *in forma pauperis* appeal from this action would not be taken in good faith. The Clerk is directed to place a § 1915(g) strike flag on this case.

IT IS SO ORDERED, this 18th day of November, 2021.

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