

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

AUSTIN JAY BURNS

PLAINTIFF

V.

CASE NO. 5:12-CV-5164

DEPUTY SIMER

DEFENDANT

ORDER

Comes on for consideration the Report and Recommendation (Doc. 41) filed in this case on May 12, 2014, by the Honorable Erin L. Setser, United States Magistrate for the Western District of Arkansas. Fourteen (14) days have passed without objections being filed by the parties.

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, for the reasons stated in the Magistrate Judge's Report and Recommendation, Defendant's Motion for Summary Judgment (Doc. 31) is **GRANTED** and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED on this 9th day of June, 2014.

  
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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE