

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

LAURIE BORDOCK

PLAINTIFF

v.

Civil No. 13-5029

MARVIN'S INC.

DEFENDANT

O R D E R

Now on this 25th day of March 2013, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #7), filed on February 27, 2013, to which no objections have been filed. The Court has reviewed the Report and Recommendation and, being well and sufficiently advised, finds that it is proper and should be adopted in its entirety.

**IT IS THEREFORE ORDERED** that the **Magistrate Judge's Report and Recommendation** (document #7) is **adopted in toto**.

**IT IS FURTHER ORDERED** that, for the reasons stated in the Report and Recommendation,

\* plaintiff's **Motion for Leave to Proceed In Forma Pauperis** (document #1) is **granted**, but the motion for service upon defendant is denied, based on plaintiff's failure to state a claim upon which relief can be granted; and

\* plaintiff's Complaint is **dismissed without prejudice**.

**IT IS FURTHER ORDERED** that, if plaintiff chooses to appeal this matter, she shall be denied leave to appeal in forma pauperis, as her claims are clearly frivolous, and thus, an appeal

would not be taken in good faith.

**IT IS SO ORDERED.**

/s/ Jimm Larry Hendren  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE