

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

MONTY DORIAN ABEYTA-FRY

PLAINTIFF

v.

Case No. 5:13-CV-05207

KAO LEE, Public Defender; AMY DRIVER,
Assistant District Attorney; SHERIFF TIM
HELDER, Washington County, Arkansas;
PARTICIPATING MEMBERS OF THE 4TH
JUDICIAL DRUG TASK FORCE; and JERRY
BLOUNT, Confidential Informant

DEFENDANTS

ORDER

Currently before the Court is the report and recommendations (Doc. 9) filed in this case on February 12, 2014, by the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas. No objections have been filed, and the time period for filing objections has passed.

After careful review, the Court concludes that the findings and recommendations should be, and hereby are, approved and adopted as this Court's findings in all respects in their entirety. Accordingly, for the reasons stated in the Magistrate's report and recommendations, IT IS ORDERED that Plaintiff's claims against Defendants Sheriff Tim Helder, the Participating Members of the 4th Judicial Drug Task Force, and Jerry Blount are DISMISSED WITHOUT PREJUDICE. IT IS FURTHER ORDERED that Plaintiff's claims against Defendants Kao Lee and Amy Driver are DISMISSED WITH PREJUDICE for failure to state a claim and as those Defendants are immune from suit.

Judgment will be entered accordingly.

IT IS SO ORDERED this 6th day of March, 2014.

P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE