

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

CHRIS WARD

PLAINTIFF

v.

Civil No. 13-5276

KELLEY CRADDUCK, Benton Co. Sheriff;
CAPTAIN JEREMY GUYLL; LIEUTENANT VANG;
SERGEANT; SERGEANT SIMMONS; SERGEANT
MARTINEZ; SERGEANT RANKIN; SERGEANT SHARP;
SERGEANT FAULKINBERRY; SERGEANT LARRA;
DEPUTY LONG; DEPUTY SIMMONS; DEPUTY NUGENT;
DEPUTY ADAMS; DEPUTY RILEY; DEPUTY DIXON;
DEPUTY HUBBARD; DEPUTY SCOTT; DEPUTY RAHN;
NURSE DARLA; MATT; UNSPECIFIED NUMBER OF JOHN
AND JANE DOES; and TRANSPORT OFFICER JOHNSON

DEFENDANTS

O R D E R

Now on this 7th day of March 2014, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #12) and plaintiff's objections thereto. The Court has reviewed the Report and Recommendation and, being well and sufficiently advised, finds that it is sound in all respects, and that plaintiff has stated neither law nor fact to refute the Recommendation.

Also before the Court is plaintiff's **Motion for Default Judgment** (document #18) in which plaintiff argues that the defendants have failed to submit an answer to the complaint. The Magistrate Judge directed the Clerk to issue summonses for the remaining defendants in an Order issued on February 19, 2014. However, the docket does not reflect that service has been

completed. Defendants' time to respond to the complaint does not begin until they have been served with the complaint. Therefore, this motion will be denied.

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (document #12) is hereby **adopted in toto**, and plaintiff's objections are **overruled**;

IT IS FURTHER ORDERED that, for the reasons stated in the Report and Recommendation, the claims against Sheriff Kelley Craddock, Deputy Rahn, Deputy Dixon, and Matt (the commissary worker) are hereby **dismissed**.

IT IS FURTHER ORDERED that plaintiff's **Motion for Default Judgment** (document #18) is hereby **denied**.

IT IS SO ORDERED.

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