

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

ANTONIO K. DAVIS

PLAINTIFF

V.

CASE NO.: 5:13-CV-5310

SHERIFF TIM HELDER,
Washington County, Arkansas

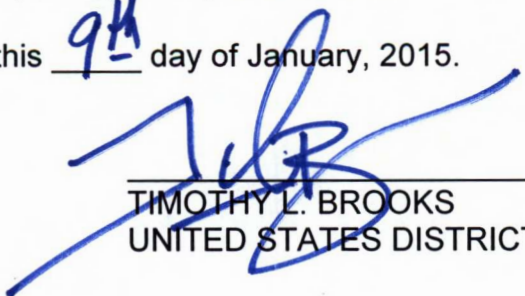
DEFENDANT

ORDER

Comes on for consideration the Report and Recommendation (Doc. 19) filed in this case on December 3, 2014, by the Honorable James R. Marschewski, Chief 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 to Dismiss and for Costs (Doc. 16) is **GRANTED IN PART** and **DENIED IN PART** as follows: the Motion is **GRANTED** with respect to dismissal of the case, but **DENIED** with respect to the Defendant's request for costs. Therefore, Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED on this 9th day of January, 2015.


TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE