

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

SCOTTIE D. DANIELS

PLAINTIFF

V.

CASE NO.: 5:14-CV-5173

NORTHWEST MEDICAL CENTER,
Bentonville, Arkansas

DEFENDANT

ORDER

Comes on for consideration the Report and Recommendation (Doc. 9) filed in this case on March 23, 2015, by the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas. More than 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, any civil rights claims asserted by Plaintiff pursuant to 42 USC § 1983 are **DISMISSED WITHOUT PREJUDICE**, for failure to state a claim. However, Plaintiff shall be allowed to file an Amended Complaint asserting claims pursuant to the Emergency Medical Treatment and Active Labor Act ("EMALTA"), within thirty (30) days of the filing of this Order.

IT IS SO ORDERED on this 23rd day of April, 2015.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE