

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

MICHAEL BUTLER

PLAINTIFF

v.

Case No. 09-6017

JAMES GIBSON, *et al.*

DEFENDANTS

ORDER

Now on this 5th day of August 2010, there comes on for consideration the report and recommendation filed herein on July 15, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 42). Also before the Court are Plaintiff's objections to the report and recommendation. (Doc. 43).

The court has reviewed this case *de novo* 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, the motion to dismiss (doc. 38) is GRANTED to the extent that Plaintiff's claims against Separate Defendants Correctional Medical Services, Dona Gordon-Buie, Dr. Nnamdi Ifediora, Dr. Ruloff Turner, and the unidentified CMS Lab Nurse are DISMISSED WITHOUT PREJUDICE for improper venue. The U.S. District Clerk is directed to provide Plaintiff with forms so that he may file these claims in the Eastern District of Arkansas.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge