

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

EDWARD CARTER

PLAINTIFF

v.

Case No. 09-6076

WAL-MART and RANDALL  
NICHOLS, Wal-Mart  
Manager

DEFENDANTS

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**ORDER**

Now on this 14th day of October 2009, there comes on for consideration the report and recommendation filed herein on September 24, 2009, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 8). Plaintiff has not filed timely, written objections.

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, Plaintiff's Complaint is DISMISSED on the grounds that the claims are frivolous and fail to state claims on which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (IFP action may be dismissed on such grounds at any time).

IT IS SO ORDERED.

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