

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

STEPHEN CODY

PLAINTIFF

v.

Case No. 10-6070

MS. MARGARET, Probation and Parole  
Office; and MS. RHONDA WARE, Probation  
and Parole Office

DEFENDANTS

**ORDER**

Now on this 7th day of January 2014, there comes on for consideration the report and recommendation filed herein on November 12, 2013, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 33). Also before the Court are Plaintiff's objections. (Doc. 34).

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, Defendants' Motion to Dismiss (doc. 25) is GRANTED, and Plaintiff's claims are DISMISSED WITH PREJUDICE as the claims are frivolous, fail to state claims upon which relief may be granted, or are against parties immune from suit. See 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (IFP action may be dismissed on such grounds at any time). Plaintiff is advised that this dismissal is considered a "strike" for purposes of the Prison Litigation Reform

Act. 28 U.S.C. § 1915(g). Finally, Plaintiff's Motion for Default Judgment (doc. 28), Defendants' Motion to Stay (doc. 30) and Plaintiff's Motion for Hearing (doc. 35) are DENIED AS MOOT.

IT IS SO ORDERED.

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