

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

MICHAEL VERNON JAMES

PLAINTIFF

v.

Case No.: 12-6024

WENDY KELLY, et al.

DEFENDANTS

O R D E R

On this 30th day of July 2013, there comes on for consideration the report and recommendation filed in this case on July 10, 2013, by the Honorable Barry A. Bryant, United States Magistrate for the Western District of Arkansas. (Doc. 53). Also before the Court is Plaintiff's Response (doc. 54) to the report and recommendation.

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, Plaintiff's motion to dismiss (doc. 52) is GRANTED, and Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE. The parties are to bear their respective fees and costs.

IT IS SO ORDERED this 30th day of July 2013.

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