

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

RICHARD PERCEFULL

PLAINTIFF

v.

Case No. 12-6040

CHRIS CLAYBAKER, Mayor, Camden
Arkansas; LIEUTENANT BAILY, Malvern
Police Department; GREGORY CRAIN,
Hot Springs County Public Defender
AND MAYOR NORTHCUTT, Malvern, Arkansas

DEFENDANTS

ORDER

Now on this 1st day of August 2012, there comes on for consideration the report and recommendation filed herein on June 11, 2012, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 6). The parties filed no 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, the motion to proceed IFP (doc. 1) is DENIED, and Plaintiff's Complaint is DISMISSED on the grounds that the claims are frivolous, fail to state claims on which relief can be granted, or are not cognizable. See 28 U.S.C. § 1915(e)(2)(B)(i)-(ii) (IFP action may be dismissed on such grounds at any time). Despite the dismissal of the Complaint, Plaintiff remains liable for the \$350 filing fee under the PLRA, and the Clerk is instructed to collect the fee.

IT IS SO ORDERED.

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