

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

JERRIC HALL

PLAINTIFF

v.

Case No. 6:13-cv-06118

LIEUTENANT CLARK; and
WARDEN DALE REED

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed February 23, 2015, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 16). Judge Bryant recommends Defendant's Motion to Dismiss (ECF No. 14) be granted in part and denied in part and Plaintiff's individual capacity claims against Defendant Reed be dismissed.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). The Court adopts the Report and Recommendation *in toto*. Defendant's Motion to Dismiss (ECF No. 14) is hereby **GRANTED in part and DENIED in part**. Specifically, Plaintiff's official capacity claims against Defendants Reed and Clark and Plaintiff's individual capacity claims against Defendant Reed are **DISMISSED** without prejudice. Plaintiff's individual capacity claim for excessive force against Defendant Clark is the sole remaining claim.

IT IS SO ORDERED, this 13th day of March, 2015.

/s/ Susan O. Hickey _____
Susan O. Hickey
United States District Judge