

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

PHILLIP DEWAYNE STEWART

PLAINTIFF

VS.

CASE NO. 6:14-cv-6101

KEVIN STARKEY, *et al.*

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed April 23, 2015, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 40. Judge Bryant recommends that Plaintiff's Motion to Dismiss be granted and that this case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2). No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1)(C). Upon review, the Court adopts the Report and Recommendation *in toto*. Accordingly, Plaintiff's Motion to Dismiss (ECF No. 39) is GRANTED and this case is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED, this 20th day of May, 2015.

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