

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

LEE OLIVER COUNTS, JR.

PLAINTIFF

V.

CASE NO. 6:14-CV-06123

SHERIFF LARRY SANDERS;
TRANSPORT OFFICER CUNNINGHAM;
CAPTAIN BRAINDSTETTER; NURSE M.
REEVES; and CHIEF DEPUTY M.
CHAMBERLAIN

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed on January 30, 2017, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 40). Judge Bryant recommends that Defendants'¹ Motion for Summary Judgment be granted. 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).

Accordingly, the Court adopts the Report and Recommendation *in toto*. The Court finds that Defendants' Motion for Summary Judgment (ECF No. 26) should be and hereby is **GRANTED**. Therefore, Plaintiff's claims as to all Defendants are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED, this 28th day of February, 2017.

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

¹ The Summons for Defendant Cunningham was returned unexecuted on February 26, 2015, indicating that Defendant Cunningham was no longer employed with Garland County. ECF No. 13. The Summons was subsequently sent to Defendant Cunningham's last known address via certified mail but was returned as undeliverable. ECF No. 13.