

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

BENJAMIN PITTS

PLAINTIFF

v.

Case No. 6:15-cv-6075

CAPTAIN BRANSTETTER, *et. al.*

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed February 8, 2017, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 46). Judge Bryant recommends that Defendants' Motions to Dismiss (ECF Nos. 23 and 39) be granted and that the above-captioned case should be dismissed without prejudice. 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). Upon review, the Court adopts the Report and Recommendation *in toto*. Accordingly, Plaintiff's case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED, this 6th day of March, 2017.

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