

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

JEREMY A. AVERY, SR.

PLAINTIFF

v.

Case No. 6:17-cv-06124

CHIEF DEPUTY STEVEN ELROD;
CAPTAIN RON HALVERSON; APN
EARNEST R. ENNIS; DR. KARL
WAGENHAUSER; SOUTHWEST
CORRECTIONAL MEDICAL GROUP, INC.;
and SHERIFF MIKE MCCORMICK

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed June 27, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 46). Judge Bryant recommends granting Defendants Elrod, McCormick, and Halverson's Motion for Summary Judgment. (ECF No. 36).

Plaintiff has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation (ECF No. 46) *in toto*. Accordingly, Defendants Elrod, McCormick, and Halverson's Motion for Summary Judgment (ECF No. 36) is hereby **GRANTED**. Plaintiff's claims against Defendants Elrod, McCormick, and Halverson are hereby **DISMISSED WITH PREJUDICE**.¹

IT IS SO ORDERED, this 17th day of July, 2019.

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

¹ The remaining Defendants—Ennis, Wagenhauser, and Southwest Correctional Medical Group—were granted an extension until July 15, 2019, to file their Motion for Summary Judgment. (ECF No. 45).