

FILED

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

APR 29 2013

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY Tuk DEPUTY

STEPHEN JOSEPH BOLLENBACH,)
)
Plaintiff,)
)
vs.)
)
STATE OF OKLAHOMA et al.,)
)
Defendants.)

No. CIV-11-857-W

ORDER

On March 28, 2013, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this matter and recommended that the Court grant the Motion for Summary Judgment filed by defendant Katy Lafferty, a bail bondsman who is proceeding pro se. Magistrate Judge Erwin also recommended that the Court find that the claims asserted against defendant State of Oklahoma ("State") by plaintiff Stephen Joseph Bollenbach, who is also proceeding pro se, are barred by the eleventh amendment to the United States Constitution. Bollenbach was advised of his right to object to the Report and Recommendation, but he has filed no objections within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Erwin's suggested disposition of Bollenbach's claims against Lafferty and the State. The claim against Lafferty is time-barred, and the State is immune from suit.

Accordingly, the Court


- (1) ADOPTS the Report and Recommendation [Doc. 71] filed on March 28, 2013;
- (2) GRANTS Lafferty's Motion for Summary Judgment [Doc. 69] filed on February 25, 2013;

(3) DISMISSES without prejudice Bollenbach's claims against the State; and

(4) because all claims asserted by Bollenbach against all defendants have now been resolved, ORDERS that a final judgment should be entered in this matter forthwith.

See Docs. 9, 62, 64, 66, 70.

ENTERED this 29th day of April, 2013.



LEE R. WEST
UNITED STATES DISTRICT JUDGE