

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

TIMOTHY DEWAYNE BARNETT,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-14-1284-HE
	)	
JOHN MICAH SIELERT, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff Timothy DeWayne Barnett, a state prisoner appearing *pro se* and *in forma pauperis*, filed this action pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights. Consistent with 28 U.S.C. § 636(b), the matter was referred for initial proceedings to Magistrate Judge Charles B. Goodwin, who has recommended that plaintiff's complaint be dismissed under 28 U.S.C. § 1915(e)(2)(B) and 1915A(b).

Plaintiff did not object to the magistrate judge's thorough Report and Recommendation and thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court **ADOPTS** Magistrate Judge Goodwin's Report and Recommendation. Plaintiff's claims against defense attorney John Micah Sielert, Judge Christopher Kelly, and District Attorney Dennis Smith are **DISMISSED** with **PREJUDICE**. Plaintiff's claims against defendants Kenny Loftiss, Kelby Peoples, and Jason Maxey are **DISMISSED** without **PREJUDICE**.

**IT IS SO ORDERED.**

Dated this 11th day of July, 2016.

  
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JOE HEATON  
CHIEF U.S. DISTRICT JUDGE