

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

ANTHONY BAISDEN,

Plaintiff,

v.

CIVIL ACTION NO. 2:11-00830

SERGEANT R. D. ARTHUR,
*an employee of the West
Virginia State Police and*
SERGEANT J. L. PHILLIPS,
*an employee of the West
Virginia State Police,*

Defendants.


MEMORANDUM OPINION AND ORDER

The court, having received the Proposed Findings and Recommendation ("PF&R") of the United States Magistrate Judge filed on August 21, 2012, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B); and having reviewed the record in this proceeding; and there being no objections filed by either party; and it appearing proper to do so, it is ORDERED that the findings and conclusions made in the PF&R be, and they hereby are, adopted by the court.

It is accordingly ORDERED that the defendants' motion to dismiss for failure to prosecute be granted and that this civil action be dismissed without prejudice.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff and all counsel of record.

DATED: October 16, 2012



John T. Copenhaver, Jr.
United States District Judge