

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**MICHAEL DEWAYNE ROBERTSON  
ADC #164628**

**PLAINTIFF**

**v. Case No. 4:10-cv-191-DPM**

**BRUCE PENNINGTON, Sheriff,  
Saline County; RAY PENNINGTON,  
Lieutenant, Saline County Detention  
Center; JIMMY LESTER, Sergeant,  
Saline County Detention Center; and  
PHILLIP SNODGRASS, Medical Examiner,  
Saline County**

**DEFENDANTS**

**ORDER**

The Court has carefully reviewed the Proposed Findings and Recommendations from Magistrate Judge Joe J. Volpe. None of the parties have filed any objections. The Court sees no legal error or clear error of fact on the face of this record as a whole. FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition). The Court therefore adopts Magistrate Judge Volpe's recommended disposition, *Document No. 35*, as its own. Defendants' motion to dismiss, *Document No. 31*, is denied. Robertson's motion to continue, *Document No. 33*, is denied as moot.

So Ordered.

*D.P. Marshall Jr.*

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D.P. Marshall Jr.  
United States District Judge

*28 Oct. 2010*

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