

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

MARVIN J. HUMPHREY

PLAINTIFF

v.

Case No. 05-2138

SHERIFF REED HAYES, *et al.*

DEFENDANTS

**ORDER**

Now on this 18th day of September 2008, there comes on for consideration the report and recommendation filed herein on August 27, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 106). The parties did not file any written objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Separate Defendant Garrett Green is DISMISSED as a Defendant in this matter.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge