

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

RONALD FAY BROWN

PLAINTIFF

V.

Civil No. 08-2101

SHERIFF FRANK ATKINSON;
DEPUTY JEROME PIXLEY and
JAIL ADMINISTRATOR CAPTAIN
MIKE CONGER

DEFENDANTS

O R D E R

On this 4th day of June 2009, there comes on for consideration the report and recommendation filed in this case on April 7, 2009, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 20). No objections were filed 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, Defendants' Motion to Dismiss (Doc. 9) is DENIED.

IT IS SO ORDERED.

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