

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

JIMMY D. BURDETTE

PLAINTIFF

v.

Case No. 08-2109

CRAWFORD COUNTY;  
CITY OF VAN BUREN,  
ARKANSAS; DONALD  
JENKINS, CITY ATTORNEY;  
MIKE MEDLOCK, JUDGE

DEFENDANTS

**ORDER**

Now on this 17th day of November 2008, there comes on for consideration the report and recommendation filed herein on October 22, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 7). Plaintiff has filed objections to the report and recommendation. (Doc. 9). The court has reviewed this case *de novo* 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, Plaintiff's request for a writ of mandamus is legally frivolous and abstention under *Younger v. Harris*, 401 U.S. 37 (1971) is appropriate. Accordingly Plaintiff's Complaint is DISMISSED as to all Defendants.

IT IS SO ORDERED.

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