

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

LEAMON THOMAS

PLAINTIFF

v.

Case No. 08-2138

LT. VENA CUPP, et al.

DEFENDANTS

**ORDER**

Now on this 14th day of September 2011, there comes on for consideration the reports and recommendations filed herein on August 26, 2010, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Docs. 44-45). No objections to the reports and recommendations were filed.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The reports and recommendations are proper and should be and hereby are adopted in their entirety. Accordingly, Defendants' Motion to Dismiss (doc. 41) is DENIED, and Defendants' Motion for Summary Judgment (doc. 34) is GRANTED. Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

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