

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

ANTHONY E. OWENS

PLAINTIFF

v.

Case No. 2:09-CV-02124

SHERIFF FRANK ATKINSON
and LT. JACKSON

DEFENDANTS

ORDER

On this 9th day of March 2011, there comes on for consideration the Report and Recommendation filed in this case on February 15, 2011, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 42). No objections to the Report and Recommendation were filed.

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, for the reasons stated in the Magistrate Judge's Report and Recommendation, the Defendants' Motion for Summary Judgment (Doc. 25) is **GRANTED**. Plaintiff's Motion for Temporary Restraining Order (Doc. 22) is **DENIED**.

IT IS SO ORDERED this 9th day of March 2011.

/s/ Paul K. Holmes III
Paul K. Holmes III
United States District Judge