

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

ROBERT SAYRES

PLAINTIFF

v.

Civil No. 10-3032

STATE OF ARKANSAS;  
PHILLIP MOON, Attorney;  
and SHERIFF DANNY HICKMAN,  
Boone County, Arkansas

DEFENDANT

**ORDER**

NOW on this 14<sup>th</sup> day of July 2010, comes on for consideration the Magistrate Judge's Report and Recommendation (document #9), filed on May 26, 2010, and plaintiff's objections, (documents #10, 11, and 12), filed on May 26, 2010, June 7, 2010, and July 1, 2010. The Court, being well and sufficiently advised, finds that plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

**IT IS THEREFORE ORDERED** that the **Report And Recommendation of the Magistrate Judge is adopted in toto**. Accordingly, the Court hereby adopts the Report and Recommendations and the plaintiff's motion for leave to proceed IFP is denied pursuant to section 1915(g); and, the plaintiff's complaint is dismissed because the claims are frivolous, fail to state claims upon which relief may be granted, and seek relief against defendants who are immune from suit. See 28 U.S.C. § 1915(e)(2)(B) (IFP action may be dismissed on such grounds at any time).

**IT IS FURTHER ORDERED** that the Clerk is directed to place a § 1915 flag on this case and on cases 05-3049 and 05-3063.

IT IS SO ORDERED.

          /s/ Jimm Larry Hendren            
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE