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

DALE B. ADAMS

PLAINTIFF

DEFENDANTS

v.

Case No. 3:10-CV-03120

UNITED STATES DEPARTMENT OF AGRICULTURE; and THOMAS L. VILSACK, United States Secretary of Agriculture

<u>O R D E R</u>

The Court has received proposed findings and recommendations (Doc. 56) from Chief United States Magistrate Judge James R. Marschewski. There have been no objections. After careful review, the Court concludes that the findings and recommendations should be, and hereby are, approved and adopted as this Court's findings in all respects in their entirety.

Accordingly, IT IS ORDERED that Defendants' supplemental motion (Doc. 45) for summary

judgment is GRANTED, and Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's motion (Doc. 52) for appointment of counsel and alternative motion to dismiss are DENIED.

IT IS FURTHER ORDERED that Plaintiff's motion (Doc. 51) for mediation is DENIED AS

MOOT.

Judgment will be entered accordingly.

IT IS SO ORDERED this 16th day of September, 2013.

/s/P. K. Holmes, III

P.K. HOLMES, III CHIEF U.S. DISTRICT JUDGE