

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

MICHAEL C. PFLANZ

PETITIONER

v.

Case No. 3:11-CV-03004

BOONE COUNTY SHERIFF'S DEPARTMENT  
and STATE of ARKANSAS

DEFENDANTS

**O R D E R**

On this 9th day of March 2011, there comes on for consideration the Report and Recommendation filed in this case on January 18, 2011, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 6). Also before the Court are Petitioner's objections. (Doc. 7).

The court has reviewed this case and, being well and sufficiently advised, finds as follows: Petitioner's objections offer neither law nor fact requiring departure from the Report and Recommendation. 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 instant petition is **DISMISSED WITH PREJUDICE**.

Petitioner's Motion to Appoint Counsel, to the extent that it is still pending, is **DENIED AS MOOT**.

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

/s/ Paul K. Holmes III

Paul K. Holmes III  
United States District Judge