

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

WILLIAM JOSEPH RETTSTATT

PLAINTIFF

V.

CASE NO. 08-CV-4034

ALVIN HOWARD, Transport Officer,  
Miller County Correctional Center, et al.

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed July 22, 2009, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 33). Judge Bryant recommends that Plaintiff's claims be dismissed based on his failure to prosecute this action and failure to comply with an order of this Court. *See* Fed. R. Civ. P. 41(b). Plaintiff has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's claims in this action are **DISMISSED**.

**IT IS SO ORDERED**, this 11th day of August, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge