

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

ROY CHESTER WISE

PLAINTIFF

V.

CASE NO. 08-CV-4044

DANNY RUSSELL, Sheriff,
Little River County, Arkansas

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed September 24, 2009, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 23). Judge Bryant recommends that Plaintiff's claims be dismissed based on his failure to prosecute this action. *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 16th day of October, 2009.

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