

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

JAMES DAVID WHEAT

PLAINTIFF

vs.

Civil No. 4:09-cv-4036

DEPUTY JONES, Miller County Jail,
et al.

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed June 17, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 74). Judge Bryant recommends that the motion to dismiss (ECF No. 73) be granted because the parties have indicated that they have reached a settlement agreement. The parties have 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 are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED, this 7th day of July, 2011.

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