

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

SARAH DEADNER, as Guardian of the  
Estate and Person of DUFF DEADNER,  
an incapacitated person

PLAINTIFF

vs.

Civil No. 4:10-cv-4029

LITTLE RIVER NURSING HOME, INC., *et al.*

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed February 8, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 46). Judge Bryant recommends that Defendants' Motion to Dismiss (ECF No. 12) be DENIED AS MOOT. 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*. Defendants' Motion to Dismiss is DENIED AS MOOT.

**IT IS SO ORDERED**, this 1st day of March, 2011.

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