

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

JERRY DON O'NEAL, AS GUARDIAN
OF THE PERSON AND THE ESTATE OF
ROSIE PEARL COX O'NEAL

PLAINTIFF

V.

Case No. 10-CV-4061

REGIONS BANK

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed November 10, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 20). Judge Bryant recommends that both the Motion to Compel Arbitration (Doc. 6) and Motion to Dismiss (Doc. 3) filed by Regions Financial Corporation¹ 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*. The Motion to Compel Arbitration (Doc. 6) and Motion to Dismiss (Doc. 3) filed by Regions Financial Corporation are denied as **MOOT**.

IT IS SO ORDERED, this 30th day of November, 2010.

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

¹On October 28, 2010, Plaintiff filed an Amended Complaint naming Regions Bank as the proper Defendant. Thus, Regions Financial Corporation is no longer a party to this action.