

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 December 6, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 24). Judge Bryant recommends that Defendant's Motion to Dismiss (Doc. 17) 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*. Defendant's Motion to Dismiss (Doc. 17) is **DENIED AS MOOT**.

IT IS SO ORDERED, this 3rd day of January, 2011.

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