

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

WILLIAM DUREN

PLAINTIFF

vs.

Case No. 4:10-cv-4123

G. TURNER, Warden of the
Miller County Correctional
Facility; W. NASH, Correctional
Officer; and SGT. MILLER

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed February 9, 2012 by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 43). Judge Marschewski recommends that Defendants' Motion for Summary Judgment (ECF No. 36) be denied. 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*. Accordingly, Defendants' Motion for Summary Judgment (ECF No. 36) should be and hereby is **DENIED**.

IT IS SO ORDERED, this 1st Day of March, 2012.

/s/ Susan O. Hickey
Hon. Susan O. Hickey
United States District Judge