

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

MICHAEL EDWARD HILL

PLAINTIFF

v.

Civil No. 05-5055

BENTON COUNTY SHERIFF'S
OFFICE; LT. BILL TESTER; and
CAPT. HUNTER PETRAY

DEFENDANTS

O R D E R

Now on this 16th day of August, 2005, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #9) in this matter, to which no objections have been made, and the Court, having carefully reviewed said Report And Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation Of The Magistrate Judge** is adopted *in toto*.

IT IS FURTHER ORDERED that, for the reasons stated in the **Report And Recommendation Of The Magistrate Judge**, plaintiff's claims against the Benton County Sheriff's Office are **dismissed**.

IT IS FURTHER ORDERED that plaintiff's remaining claims are remanded to the Magistrate Judge for further handling.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE