

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

LEE FLOYD BEBLEY

PLAINTIFF

v.

Civil No. 07-5028

ANDREA GARRETT, Nurse; and
DOCTOR HUSKINS; SGT. TOMLIN;
LT. CARTER; CAPTAIN PETRAY;
DEPUTY CYPERT; and DPEUTY HADLEY

DEFENDANTS

O R D E R

Now on this 21st day of August, 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #48, filed July 30, 2009), in this matter, to which no objections have been filed, 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 **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, **Defendants' Motion to Dismiss (Doc. #46) is hereby granted and this case is dismissed without prejudice**.

IT IS SO ORDERED.

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