

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

TRAVIS FRANCE

PLAINTIFF

v.

No. 07-5042

CAPTAIN HUNTER PETRAY,
Benton County Detention Center; and
NURSE ANDREA GARRETT

DEFENDANTS

O R D E R

NOW on this 11th day of December, 2008, comes on for consideration the **Report and Recommendation of the Magistrate Judge (Doc. 28)** in this matter, as well as the petitioner's **Objections to R & R (Doc. 30)**, and **Defendant's Reply to Plaintiff's Objections to Report & Recommendation (Doc. 31)**. The Court has reviewed this matter de novo, and finds that the Report And Recommendation is sound in all respects; the petitioner, in his pleading entitled **Objections to R & R**, agrees that the parties have agreed to a settlement of this case; and, the Court finds the Report and Recommendation should be, and it hereby is, adopted in toto.

IT IS THEREFORE ORDERED that:

* the Magistrate Judge's Report And Recommendation is **adopted in toto**; and,

* the **Motion to Dismiss Due to Settlement (Doc. 26)** is **granted**.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE