

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

BILLY WAYNE KEMP

PLAINTIFF

v.

Civil No. 07-5056

CAPTAIN HUNTER PETRAY;
DEPUTY LEE; and DEPUTY
BARRETT all of the Benton
County Detention Center

DEFENDANTS

ORDER

Now on this 26th day of August, 2009, comes on for consideration the **Magistrate Judge's Report and Recommendation** (R&R) issued by the Honorable James Marschewski, United States Magistrate Judge for the Western District of Arkansas (Doc. #28). The Court, being well and sufficiently advised, finds and orders as follows with respect to the same:

1. Defendants filed a motion for summary judgment (Doc. 12) with respect to plaintiff, Billy Wayne Kemp's, civil rights action against them wherein he alleges they violated his constitutionally protected rights. The matter was referred to Judge Marschewski for a Report and Recommendation (R&R).

2. In the R&R, Judge Marschewski recommends that the motion for summary judgment be granted and that plaintiff's claims be dismissed, with prejudice.

3. Billy Wayne Kemp filed objections (Doc. # 28) to the R&R. After thoroughly reviewing the R&R in light of plaintiff's objections, the Court concludes the objections are without merit

