

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

BRANDON EUGENE LACY

PLAINTIFF

v. Civil No. 07-5200

SHERIFF KEITH FERGUSON;
CAPTAIN HUNTER PETRAY; ET AL.

DEFENDANTS

ORDER

NOW on this 17th day of March 2009, comes on for consideration the Magistrate Judge's Report and Recommendation (document #38), filed on February 26, 2009, and plaintiff's Written Objection to the Courts Findings to Dismiss Sheriff Ferguson and the County (document #40), filed on March 9, 2009, and the Court, being well and sufficiently advised, finds that plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation of the Magistrate Judge is adopted in toto**. Accordingly, the Court hereby adopts the Report and Recommendations and defendants' **motion for summary judgment (document #18) is granted in part and denied in part**. Specifically, **plaintiff's claims against Sheriff Keith Ferguson are dismissed**. In all other respects, the motion for summary judgment is denied.

IT IS SO ORDERED.

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