

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

GARRY R. FINNELL

PLAINTIFF

v.

Civil No. 08-5095

SHERIFF KEITH FERGUSON,
Benton County, Arkansas;
CAPTAIN HUNTER PETRAY;
NURSE MARSHA SMITH; and
DR. JOHN HUSKINS

DEFENDANTS

O R D E R

Now on this 31st day of March, 2010, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #46), 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**, defendants' **Motion For Summary Judgment** (document #38) is **granted**, and this matter is **dismissed with prejudice**.

IT IS SO ORDERED.

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