

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

RANDY LEE EDMISTEN

PLAINTIFF

v.

Civil No. 08-05109

SHERIFF KEITH FERGUSON;  
DEPUTY CHARLIE ROBINS

DEFENDANTS

O R D E R

Now on this 24th day of August 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #21, 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 Report and Recommendation, this case is hereby **dismissed without prejudice**.

**IT IS SO ORDERED.**

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