

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

STEVEN ALLEN PRATT

PLAINTIFF

v.

Civil No. 08-5123

SHERIFF KEITH FERGUSON,  
Benton County, Arkansas; and  
CAPTAIN HUNTER PETRAY,  
Jail Administrator,  
Benton County Detention Center

DEFENDANTS

O R D E R

Now on this 24rd day of April, 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #18, filed April 2, 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 Magistrate Judge's Report and Recommendation, defendants' motion to dismiss (Doc. #13) is **granted and this case is hereby dismissed**.

**IT IS SO ORDERED.**

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