

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

MARK D. WEAVER

PLAINTIFF

v.

Civil No. 08-5186

DEPUTY JOHNSON;  
SGT. CARLTON;  
CAPTAIN HUNTER PETRAY;  
SHERIFF KEITH FERGUSON;  
DEPUTY EUWING;  
DEPUTY MORRISON;  
DEPUTY JOHNSTON;  
DEPUTY ROLAND;  
DEPUTY RANKIN;  
DEPUTY WALES;  
DEPUTY ELKINGTON;  
DEPUTY TUCKER;  
DEPUTY ENGLEMAN;  
DEPUTY WRITE;  
DEPUTY GONZALLEZ;  
DEPUTY COLTS;  
DEPUTY BLUGG;  
DEPUTY MRS. B.;  
DEPUTY BAILEY;  
DEPUTY DAN;  
SGT. VAUGHN; and  
SGT. TORRES

DEFENDANTS

O R D E R

Now on this 6th day of November, 2008, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #4, filed October 7, 2008), 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, Plaintiff's case is hereby **dismissed**.

**IT IS SO ORDERED.**

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