

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

MATTHEW MICHAEL KEATING

PLAINTIFF

v.

Civil No. 08-5187

OFFICER FREEMAN and
RANDALL DENZER

DEFENDANTS

O R D E R

Now on this 17th day of July, 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge**, (document #15, filed June 19, 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, **defendant's Motion to Dismiss (Doc. #10) is hereby denied**.

IT IS SO ORDERED.

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