

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

JEREMY DALE REESE

PLAINTIFF

v.

Civil No. 08-5200

JEREMY McNABB

DEFENDANT

ORDER

NOW on this 1st day of December 2008, comes on for consideration the Report and Recommendation of the Magistrate Judge (document #6), filed on October 10, 2008, and plaintiff's Objections (document #7), filed on October 22, 2008. The Court, being well and sufficiently advised, finds that plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation of the Magistrate Judge is adopted in toto**. Accordingly, the Court hereby adopts the Report and Recommendations and the plaintiff's complaint is dismissed for failure to state a claim. See 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (IFP action, or any portion thereof, may be dismissed on such grounds at any time).

IT IS SO ORDERED.

/s/ Jimm Larry Hendren

JIMM LARRY HENDREN

UNITED STATES DISTRICT JUDGE