

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

DAVID ARTHUR McMANNIS

PLAINTIFF

v.

Civil No. 08-5224

BENTON COUNTY DETENTION CENTER;
JERREME REECE, Inmate, Benton County
Detention Center; CAPTAIN HUNTER
PETRAY, Commander of the Jail, Benton
County Detention Center, and GUARD
MONROE, Benton County Detention Center

DEFENDANTS

O R D E R

Now on this 29th day of December, 2008, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #7, filed November 15, 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 claims against Benton County Detention Center and Jerreme Reece are hereby dismissed**. The case remains pending as to the remaining defendants.

IT IS SO ORDERED.

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