

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

FORREST EUGENE HUNTER, III

PLAINTIFF

v.

Civil No. 09-5014

SHERIFF KEITH FERGUSON;
CAPTAIN HUNTER PETRAY,
Benton County Detention Center;
DR. JOHN HUSKINS, Jail Doctor,
Benton County Detention Center;
NURSE MARSHA SMITH, Jail Nurse,
Benton County Detention Center

DEFENDANTS

O R D E R

NOW on this 28th day of October, 2010, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 31), filed on September 2, 2010, to which no objections have been made. 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 for Summary Judgment (Doc. 23) is DENIED**.

IT IS SO ORDERED.

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