

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

JO ANN HOFFMAN

PLAINTIFF

v.

Civil No. 09-5052

KEITH FERGUSON, Sheriff,
Benton County, Arkansas;
CAPTAIN HUNTER PETRAY,
Benton County Detention Center;
and STEVE BELL, Little Flock Police
Department

DEFENDANTS

O R D E R

Now on this 27th day of September, 2010, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #38) entered by United States Magistrate Judge Setser in this matter, and plaintiff's **Partial Response to Report and Recommendation, Due 9/24/10** (document #40). The Court, having carefully reviewed said Report and Recommendation as well as Plaintiff's objections thereto, finds as follows:

1. Plaintiff's objections, which amount to a recitation of the facts which form the basis of plaintiff's complaint, and of the law previously argued by plaintiff, offer neither law nor fact requiring departure from the Report and Recommendation. The objections should and will be overruled.

2. The Report and Recommendation is sound in all respects and should be adopted *in toto*.

IT IS THEREFORE ORDERED that Plaintiff's **Objections** to the **Report and Recommendation of the Magistrate Judge** are overruled.

IT IS FURTHER ORDERED that the **Magistrate Judge's Report and Recommendation** is adopted *in toto*.

IT IS FINALLY ORDERED that, for the reasons stated in the Report and Recommendation of the Magistrate Judge:

* the motion for summary judgment (document #22) filed by Separate Defendant Sheriff Keith Ferguson and Captain Hunter Petray is hereby **granted**; and

* the motion for summary judgment (document #27) filed by Separate Defendant Steve Bell is hereby **granted**; and

* the plaintiff's complaint is hereby **dismissed**.

IT IS SO ORDERED.

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