

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

SHAWN DANIEL DRAKE

PLAINTIFF

v.

Civil No. 09-05120

CAPTAIN PETRAY, ET AL.

DEFENDANTS

O R D E R

NOW on this 30th day of November 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #6), filed on October 20, 2009, and the Court, being well and sufficiently advised that there has been no objection, finds that the Report and Recommendation should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that, for the reasons set forth therein, the **Report and Recommendation** is adopted *in toto*. Accordingly, Plaintiff's claims against Defendants are **dismissed** in their entirety.

IT IS SO ORDERED.

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