

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

GEOFFREY NEAL BLAKE

PLAINTIFF

v.

Civil No. 09-5154

BENTON COUNTY DETENTION
FACILITY; and BENTON COUNTY
SHERIFF'S DEPARTMENT

DEFENDANTS

O R D E R

Now on this 11th day of September, 2009, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #3, filed July 27, 2009), 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 Application to proceed *in forma pauperis* (IFP) is hereby **denied**.

IT IS SO ORDERED.

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