

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

AUSTIN JAY BURNS

PLAINTIFF

v.

Civil No. 09-5164

LT. CARTER, Benton County
Detention Center; and
DEPUTY BONFANTI, Benton
County Detention Center

DEFENDANTS

O R D E R

Now on this 28th day of March, 2011, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 24) to which no objections have been filed. The Court, being well and sufficiently advised, has reviewed the Report and Recommendation and finds that it is sound in all respects and should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation** (Doc. 24) is hereby **adopted in toto**; and

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge' Report and Recommendation, defendants' **Motion for Summary Judgment** (Doc. 13) is hereby **DENIED**.

IT IS SO ORDERED.

/s/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE