

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

AUSTIN JAY BURNS

PLAINTIFF

v.

Civil No. 09-5164

LT. CARTER; and DEPUTY BONFANTI

DEFENDANTS

O R D E R

NOW on this 1st day of March 2012, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 38), filed on February 7, 2012, to which no objections have been filed. The Court has reviewed the Report and Recommendation and finds in sound in all respects and it will, therefore, be adopted it *in toto*.

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (Doc. 38) is hereby **adopted in toto**;

IT IS FURTHER ORDERED that plaintiff's case is hereby **dismissed with prejudice** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

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