

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

ANDREW RICHARD CUMMINS

PLAINTIFF

v.

Civil No. 09-5173

SHERIFF KEITH FERGUSON, et al.

DEFENDANTS

O R D E R

Now on this 23th day of January, 2012, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #64). No objections have been made to the Report And Recommendation, and the Court, having carefully reviewed it, finds that it is sound in all respects, and that it should be adopted *in toto*.

**IT IS THEREFORE ORDERED** that the **Report And Recommendation Of The Magistrate Judge** is adopted *in toto*.

**IT IS FURTHER ORDERED** that, for the reasons stated in the **Report And Recommendation Of The Magistrate Judge**, this matter is **dismissed**.

**IT IS SO ORDERED.**

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