

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

SHAWN MICHAEL HUSKEY

PLAINTIFF

v.

Civil No. 09-5176

CAPTAIN HUNTER PETRAY;
CAPTAIN HOLLEY; and
SHERIFF KEITH FERGUSON

DEFENDANTS

O R D E R

Now on this 28th day of October, 2010, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 16), in this matter, to which no objections have been made. 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, Defendants' motion to dismiss (Doc. 26) is **GRANTED** and plaintiff's complaint is dismissed pursuant to F.R.C.P. 41(b) for failure to comply with the Magistrate Judge's orders and for failure to prosecute.

IT IS SO ORDERED.

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