

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

JAMES PATRICK THOMAS

PLAINTIFF

v.

Civil No. 09-5177

SHERIFF KEITH FERGUSON, et al.

DEFENDANTS

O R D E R

Now on this 11th day of October, 2011, comes on for consideration the **Magistrate Judge's Report And Recommendations** ("R&R") (document #35). The Court has reviewed the R&R, and finds it sound in all respects. The R&R details the efforts of the Magistrate Judge to contact plaintiff, and plaintiff's failure to prosecute this action. Since the R&R was issued, the Clerk of Court has twice attempted to mail a copy of it to plaintiff, but mail was returned from both addresses. The R& R will, therefore, be adopted, and plaintiff's claims dismissed without prejudice for failure to prosecute and failure to follow a Court Order.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report And Recommendation** (document #35) is **adopted**.

IT IS FURTHER ORDERED that plaintiff's claims are **dismissed without prejudice**.

IT IS SO ORDERED.

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