

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

STEVEN RAY TALBOT

PLAINTIFF

v.

Civil No. 09-5191

DR. HUSKINS; CAPTAIN
ROBERT HOLLY; and
SHERIFF KEITH FERGUSON

DEFENDANTS

O R D E R

Now on this 29th day of March, 2011, comes on for consideration defendants' **Motion For Summary Judgment** (document #14) and the **Report And Recommendation Of The Magistrate Judge** (document #21), to which no objections have been made, and 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 **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**, defendants' **Motion For Summary Judgment** (document #14) is **granted in part and denied in part**.

The motion is **granted** to the extent it seeks summary judgment in favor of defendants Holly and Ferguson, and to the extent it seeks recovery for denial of adequate diet, verbal abuse, and inadequate grievance procedures, and these claims are **dismissed**

with prejudice.

The motion is **denied** to the extent it seeks summary judgment in favor of defendant Huskins for denial of adequate medical care, and this claim will be set down for trial at the Court's earliest convenience.

IT IS SO ORDERED.

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