

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

JIL ANTONIO RESINOS

PLAINTIFF

v.

Civil No. 09-5238

CAPTAIN HOLLY and
DEPUTY LEASE

DEFENDANTS

O R D E R

Now on this 26th day of October, 2010, comes on for consideration the **Magistrate Judge's Report and Recommendation** (Doc. 5), in this matter, 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 **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, Plaintiff's complaint is hereby **DISMISSED WITHOUT PREJUDICE**. The Clerk is directed to place a strike flag on this case pursuant to 28 U.S.C. § 1915(g).

IT IS FURTHER ORDERED that the Clerk is directed to collect the \$350.00 filing fee from the plaintiff.

IT IS SO ORDERED.

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