

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

ADRIAN LATHAM

PLAINTIFF

v.

Civil No. 09-5243

SGT. FRY, Benton County  
Detention Center; and  
CAPTAIN HOLLY, Benton  
County Detention Center

DEFENDANTS

O R D E R

Now on this 4th day of May, 2010, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #8), 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**, this matter is dismissed without prejudice.

**IT IS SO ORDERED.**

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