

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

SETH OREN SIMMONS

PLAINTIFF

v.

Civil No. 09-5249

SHERIFF KEITH FERGUSON ET AL.

DEFENDANT

O R D E R

Now on this 15th day of March, 2011, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 21) to which no objections have been filed. The Court, being well and sufficiently advised, has reviewed the Report and Recommendation and finds that it is sound in all respects and should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation** (Doc. 21) is hereby **adopted in toto**; and

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge' Report and Recommendation, plaintiff's complaint is hereby **DISMISSED** for failure to prosecute and failure to follow a court order.

IT IS SO ORDERED.

/s/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE