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

GEOFFREY NEAL BLAKE **PLAINTIFF**

v. **Civil No. 09-5264**

CAPTAIN HOLLY and SHERIFF FERGUSON **DEFENDANTS**

O R D E R

NOW on this 22nd day of February 2012, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 64), filed on January 31, 2012, to which no objections have been filed. The Court has reviewed the Report and Recommendation and finds in sound in all respects and it will, therefore, be adopted it *in toto.*

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (Doc. 64) is hereby **adopted in *toto;***

IT IS FURTHER ORDERED that plaintiff's **Motion for Non-Suit** (Doc. 62) is hereby **granted** and this case is hereby **dismissed without prejudice.**

IT IS SO ORDERED.

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

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