

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

NATHANIEL WALTERS

PLAINTIFF

v.

Civil No. 09-5268

DR. HOWARD 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. 22) 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. 22) is hereby **adopted in toto**; and

**IT IS FURTHER ORDERED** that, for the reasons stated in the Magistrate Judge' Report and Recommendation, plaintiff's **motion to dismiss** (Doc. 21) is hereby **GRANTED** and his complaint is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

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