

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

DERRICK KING

PLAINTIFF

v.

Civil No. 09-05274

SHERIFF KEITH FERGUSON,  
ET AL.

DEFENDANTS

O R D E R

NOW on this 23rd day of February 2010, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #3), filed on December 3, 2009, and the Court, being well and sufficiently advised that there has been no objection thereto, finds that the Report and Recommendation is sound in all respects and should be adopted *in toto*.

**IT IS THEREFORE ORDERED** that, for the reasons set forth therein, the **Report and Recommendation of the Magistrate Judge** is adopted *in toto*. Accordingly, Plaintiff's request to proceed *in forma pauperis* is denied and his complaint is dismissed with prejudice.

**IT IS SO ORDERED.**

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