

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

WILLIS DODE EUBANKS

PLAINTIFF

v.

Civil No. 10-5005

SGT. RANDY CLARK, et al.

DEFENDANTS

O R D E R

Now on this 27th day of June, 2011, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #115), 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 with prejudice**, subject to the terms of the settlement agreement.

If any party desires to make the terms of the settlement a part of the record herein, those terms should be reduced to writing and filed with the Court within thirty days from the file date of this Order.

The Court retains jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been

completed and that a party wishes this Court to enforce the settlement agreement specifically.

IT IS SO ORDERED.

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