

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

ANTHONY E. OWENS

PLAINTIFF

v.

Civil No. 10-5006

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 January 8, 2010. Plaintiff Anthony Owens has filed objections to the Report and Recommendation (document #4).

The Court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: Plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, **adopted in toto**.

Accordingly, the Court hereby adopts the Report and Recommendation; **denies** Plaintiff's application to proceed *in forma pauperis*; and **dismisses this action without prejudice**.

IT IS SO ORDERED.

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