

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

NOLAN SIDNEY BIESANZ, JR.

PLAINTIFF

v.

Civil No. 10-5017

SHERIFF KEITH FERGUSON,  
et al.

DEFENDANTS

O R D E R

Now on this 26th day of January, 2011, comes on for consideration the **Report And Recommendation Of The Magistrate Judge** (document #5), 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**, plaintiff's claims against defendants Dr. Huskins and Deputy Morrison are **dismissed**.

**IT IS FURTHER ORDERED** that this matter is **remanded** to Magistrate Judge Erin L. Setser for further proceedings.

**IT IS SO ORDERED.**

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