

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

TOMMY RAY MILLS, JR.

PLAINTIFF

v.

Civil No. 10-5040

JAIL ADMINISTRATOR ROBERT HOLLY;  
DR. JOHN HUSKINS; NURSE GAIL  
HARTGRAVES; NURSE MARSHA SMITH;  
and BENTON COUNTY

DEFENDANTS

O R D E R

Now on this 23rd day of May, 2012, comes on for consideration the **Report And Recommendation** of United States Magistrate Judge James R. Marschewski (document #59), 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 between the parties.

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 of this matter for thirty days 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**