

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

MICHAEL SHANE WILMOTH

PLAINTIFF

v.

Civil No. 10-5048

DEPUTY LOCKHART, ET AL.

DEFENDANTS

O R D E R

Before the Court is the **Report and Recommendation of the Magistrate Judge** (document #106), recommending that the parties' Joint Motion to Dismiss Separate Benton County Defendants Due to Settlement (document #105) be granted. The Court has thoroughly reviewed the Report and Recommendation, as well as the subsequent motions and objections, and being well and sufficiently advised, the Court finds that the recommendation is sound in all respects.

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (document #106) is hereby **adopted in toto**;

IT IS FURTHER ORDERED that, for the reasons stated in the Report and Recommendation of the Magistrate Judge, the parties' **Joint Motion to Dismiss Separate Benton County Defendants Due to Settlement** (document #105) is **granted**.

IT IS FURTHER ORDERED that Plaintiff's Complaint is **dismissed with prejudice** as to the Separate Benton County Defendants, namely **Deputy Lockhart, Sergeant Vaughn, Deputy Frischman, Sergeant Jessen, Deputy Dowdle, Deputy Hernandez, Deputy Robbins, Deputy Carlton, Deputy Lowther, Captain Hunter Petray, Lieutenant Carter,**

Deputy Strickland, and Deputy Wales, in all capacities.

IT IS SO ORDERED.

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