

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

ROY JOE KAISER

PLAINTIFF

v.

Civil No. 10-5138

LT. CARTER, ET AL.

DEFENDANT

O R D E R

NOW on this 22nd day of April, 2011, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 21), filed on March 31, 2011, 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 **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the **Report and Recommendation of the Magistrate Judge** (Doc. 21), plaintiff's complaint is hereby **DISMISSED** for failure to prosecute and failure to comply with the court's orders pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

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