

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

RAYMOND SETZKE

PLAINTIFF

v.

No. 10-5199

JOHNATHAN THREET, Prosecuting Attorney;
TERRA STEPHENSON, Assistant Prosecuting Attorney;
SHERIFF TIM HELDER; and DEPUTY STEVE WHITMILL

DEFENDANTS

O R D E R

NOW on this 10th day of February 2012, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (Doc. 17), to which no objections have been filed. The Court, having carefully reviewed the Magistrate Judge's Report and Recommendation, finds that it is sound in all respects and that the same should be, and it hereby is, **adopted in toto**.

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (Doc. 17) **is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, the **Prosecutor Defendants' Motion to Dismiss** (Doc. 15) is hereby **GRANTED** and plaintiff's claims against defendants **JOHNATHAN THREET and TERRA STEPHENSON** are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

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