

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

BRIAN O'HAGAN

PLAINTIFF

v.

Civil No. 11-5045

STATE OF ARKANSAS

DEFENDANT

O R D E R

Now on this 25th day of April, 2011, come on for consideration plaintiff's **Motion To Dismiss** (document #7) and the **Magistrate Judge's Report And Recommendation** (document #8), and the Court, having reviewed the Report And Recommendation, finds that it is sound in all respects, and it is hereby **adopted in toto**.

IT IS THEREFORE ORDERED that plaintiff's **Motion To Dismiss** (document #7) is **granted**, and this matter is **dismissed without prejudice**.

IT IS SO ORDERED.

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