

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

NASH FISHER WELLING

PLAINTIFF

v.

Civil No. 11-5075

STATE OF ARKANSAS

DEFENDANT

O R D E R

Now on this 16th day of May, 2011, comes on for consideration the **Magistrate Judge's Report And Recommendation** (document #3), 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 **Magistrate Judge's Report And Recommendation**, this matter is hereby **dismissed**.

**IT IS SO ORDERED.**

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