

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

BRIAN T. JORDAN

PLAINTIFF

v.

Civil No. 11-5172

SGT. BRANDON CARMEAN; DEPUTY
MICHAEL NIEL; and INVESTIGATOR JEREMY D.
FELTON

DEFENDANTS

ORDER

NOW on this 26th day of February 2013, comes on for consideration the Report and Recommendation of the Magistrate Judge (document #70), filed on February 11, 2013, and plaintiff's Response to Recommendations of Partial Summary Judgment in the Above Stated Case (document #73), filed on February 15, 2013. The Court, being well and sufficiently advised, finds that plaintiff's response offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation of the Magistrate Judge is adopted *in toto***. Accordingly, the Court hereby adopts the Report and Recommendation and defendants' motion for partial summary judgment is **granted in that all claims against Sheriff Ferguson and Captain Holly are dismissed**.

IT IS SO ORDERED.

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