

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

CHESTER S. VAUGHN

PLAINTIFF

v.

Civil No. 13-5013

DR. JAMES HUSKINS, Benton County  
Detention Center; NURSE MARSHA SMITH,  
Benton County Detention Center;  
SERGEANT. FRY, Benton County Detention  
Center; CAPTAIN ROBERT HOLLY; Benton  
County Detention Center; and  
SHERIFF KEITH FERGUSON

DEFENDANTS

O R D E R

Now on this 26th day of April 2013, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #5) and plaintiff's objection thereto. The Court has reviewed the Report and Recommendation and, being well and sufficiently advised, finds that it is sound in all respects, and that plaintiff has stated neither law nor fact to refute the Recommendation.

**IT IS THEREFORE ORDERED** that the **Report and Recommendation of the Magistrate Judge** (document #5) is hereby **adopted in toto**, and plaintiff's objection is **overruled**;

**IT IS FURTHER ORDERED** that, for the reasons stated in the Report and Recommendation, this case is dismissed as duplicative of Civil No. 09-5205.

IT IS SO ORDERED.

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