

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

ELBERT OSBORNE, JR.

PLAINTIFF

v.

Case No. 08-6032

SGT. ANSLEY, *et al.*

DEFENDANTS

ORDER

Now on this 13th day of January 2009, there comes on for consideration the report and recommendation filed herein on December 22, 2008, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 25). The parties did not file any written objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's Motion to Dismiss (Doc. 21) is GRANTED and this case is DISMISSED without prejudice. Plaintiff's pending motions (Docs. 19-20) are DENIED AS MOOT.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge