

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

WENZEL WOCHOS

PLAINTIFF

v.

Civ. No. 08-6070

DARRELL SMITH

DEFENDANT

O R D E R

Now on this 20th day of May 2010, there comes on for consideration the report and recommendation filed herein on April 15, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 52). Also before the Court are Plaintiff's written objections to the report and recommendation. (Doc. 53).

The Court has reviewed this case *de novo* 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 for Summary Judgment (doc. 41) is **DENIED**.

IT IS SO ORDERED.

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