

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

CHALMERS WRAY

PLAINTIFF

v.

Case No. 09-6071

DR. LIGGETT, *et al.*

DEFENDANTS

ORDER

Now on this 28th day of April 2010, there comes on for consideration the report and recommendation filed herein on April 9, 2010, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 40). There were no objections filed 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 Complaint is DISMISSED WITHOUT PREJUDICE to the right of Plaintiff's representative or heirs to file a motion to be substituted as a plaintiff and to re-open the case.

IT IS SO ORDERED.

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