

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

VAUGHN DAMON WILSON

PLAINTIFF

v.

Case No. 09-2098

ALMA CITY COURT and  
THE STATE OF ARKANSAS

DEFENDANTS

**ORDER**

Now on this 26th day of October 2009, there comes on for consideration Plaintiff's Motion to Overrule Magistrate's Denial of Plaintiff's Modification (Doc. 10). Plaintiff asks the Court to overrule the magistrate in his denial of Plaintiff's Motion to Modify stating he never accepted or requested a magistrate judge to preside over his case.

Pursuant to 28 U.S.C. § 636, the Court does not require Plaintiff's consent to refer certain matters to the magistrate judge. Further, the magistrate did not deny Plaintiff's Motion to Modify. The undersigned denied that motion, and in the same order adopted the Magistrate's report and recommendation after a *de novo* review and consideration of Plaintiff's objection to the report and recommendation. Accordingly, Plaintiff's Motion (Doc. 10) is DENIED.

IT IS SO ORDERED.

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