



**Item 2.02 Results of Operations and Financial Condition.**

The Registrant hereby furnishes its press release dated October 13, 2009 announcing Third Quarter 2009 Earnings which is attached hereto as Exhibit 99.1 and incorporated herein by reference.

**Item 7.01 Regulation FD Disclosure.**

See Item 2.02. Results of Operations and Financial Condition

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

99.1 Press Release dated October 13, 2009: Bank of the Ozarks, Inc. Announces Third Quarter 2009 Earnings

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

BANK OF THE OZARKS, INC.  
(Registrant)

Date: October 13, 2009 /s/ Paul Moore  
Paul Moore  
Chief Financial Officer  
and Chief Accounting Officer

**Exhibit No. Document Description**

99.1 Press Release dated October 13, 2009: Bank of the Ozarks, Inc. Announces Third Quarter 2009 Earnings