## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS BATESVILLE DIVISION

TOMMY HENDERSON

**PLAINTIFF** 

V.

1:07CV00050 JLH/JTR

CORRECTIONAL MEDICAL SERVICES, et al.

**DEFENDANTS** 

## **ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

## IT IS THEREFORE ORDERED that:

- 1. Plaintiff's Motion to Transfer the Case for Want of Jurisdiction, which has been construed as a Motion to Remand (docket entry #30), is GRANTED, and the entire case is REMANDED to the Izard County Circuit Court.
- 2. Plaintiff's Motion to file a Second Amended Complaint (docket entry #10) is DENIED.
- 3. Plaintiff's Motion for a Preliminary Injunction (docket entry #26), Plaintiff's Motion for a Hearing (docket entry #27), Defendant Ahmed's Motion for Relief from Discovery (docket entry #8), and Defendant CMS's Motion for a Protective Order from Discovery Requests (docket entry #17) are DENIED AS MOOT.

4. Pursuant to 28 U.S.C. § 1447(c), the Clerk is directed to mail a certified copy of this Order and the accompanying Judgment to the Izard County Circuit Clerk.

Dated this 8th day of February, 2008.

J. Jean Holm UNITED STATES DISTRICT JUDGE