

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

RAYMOND CALVIN,
ADC #118038

PLAINTIFF

v.

1:09CV00006SWW/HLJ

LARRY MAY, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Henry L. Jones, Jr. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety except that Norris and Engelhardt are not dismissed as to plaintiff's equal protection claim. Accordingly,

IT IS, THEREFORE, ORDERED that defendants' motion to dismiss is hereby GRANTED IN PART, with respect to plaintiff's Eighth and Fourteenth Amendment allegations based on his May 19, 2008 and July 20, 2008 confinements in isolation and behavior control.

IT IS FURTHER ORDERED that defendants' motion to dismiss is GRANTED IN PART with respect to plaintiff's claim for expungement of his disciplinary violation he received.

IT IS FURTHER ORDERED that defendants' motion to dismiss is hereby DENIED with respect to plaintiff's Eighth and Fourteenth Amendment allegations against defendants Burris, Evans, McFarren and Dobbs concerning his placement in punitive segregation on July 25, 2008.

IT IS FURTHER ORDERED that defendants' motion to dismiss is DENIED with respect to plaintiff's Equal Protection claim against defendants Norris, Engelhardt, Evans, and Gibson.

IT IS FURTHER ORDERED that defendants Selvey and Gillihan are hereby DISMISSED from plaintiff's complaint.

IT IS SO ORDERED this 10th day of July, 2009.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE