

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

DANIEL CINCOSKI,  
ADC # 143538

Plaintiff,

v.

RICHARD, Dr., Grimes Unit, Arkansas  
Department of Correction; *et al.*

Defendants.

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No. 1:09-cv-00038-SWW-JJV

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and the Plaintiff's objections and declaration. After carefully considering the objections and declaration, and after making a de novo review of the relevant portion of the record, see 28 U.S.C. § 636(b)(1)(C), 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. Dr. Richard's Second Motion for Summary Judgment (Doc. No. 136) is GRANTED;
2. Defendants Cash, Daniels, and Rogers' Motion for Summary Judgment (Doc. No. 82) is GRANTED;
3. Plaintiff's Motion for Leave to File an Amended Complaint (Doc. No. 149) is DENIED;
4. All pending motions are rendered MOOT;
5. Plaintiff's cause of action is DISMISSED with prejudice.

DATED this 12th day of March 2012.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE