

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

DANIEL CINCOSKI
ADC #143538

PLAINTIFF

V.

1:09-cv-00038 SWW-JJV

RICHARD, Dr., Grimes Unit, Arkansas Department of Correction; DANIELS, Dr., Grimes Unit, Arkansas Department of Correction; CASH, Mrs., Mental Health, Grimes Unit, Arkansas Department of Correction; and ROGERS, Mr., Mental Health, Arkansas Department of Correction

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge Joe J. Volpe and the parties' objections. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial 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 for Injunctive Relief (Doc. No. 25) is DENIED;
2. Plaintiff's Motion to Amend (Doc. No. 35) is DENIED;
3. Plaintiff's Motion for the Appointment of Counsel (Doc. No. 27) is DENIED;
4. Plaintiff's "Motion for Discovery" (Doc. No. 28) is DENIED as moot;
5. Plaintiff's "Motion for Jury Trial" (Doc. No. 41) and "Motion for a Hearing" (Doc. No. 36) shall be terminated. The Clerk of the Court is directed to note Plaintiff's jury trial request on the docket entries in this matter, and a pre-jury evidentiary hearing will be scheduled following the completion of service on all of the

Defendants;

6. Plaintiff's Motion to Depose Defendant Richard (Doc. No. 42) is DENIED as premature. The Clerk of the Court is directed to once again prepare summons for this Defendant, to be served in care of the attorneys for Correctional Medical Services, and the United States Marshal is directed to serve a copy of Complaint (Doc. No. 2), the Amended Complaint (Doc. No. 15), and this Order and summons on Defendant Richard, without prepayment of fees and costs or security therefore; and
7. Plaintiff's Motion for Default Judgment (Doc. No. 42) is DENIED.

DATED this 4th day of January, 2010.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE