

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

DANIEL DORSEY
ADC #113528

PLAINTIFF

V.

1:10CV00046 JMM/JTR

JOE PAGE, Warden,
Grimes Unit, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, 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. Pursuant to the screening function mandated by 28 U.S.C. § 1915A: (a) Plaintiff's inhumane conditions of confinement claim is DISMISSED, WITHOUT PREJUDICE, because he has failed to state a claim upon which relief may be granted; and (b) Plaintiff shall PROCEED with his excessive force claim.

2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

3. The Clerk is directed to prepare a summons for Defendants Page, Heir, and Loggains, and the U.S. Marshal is directed to serve the summons, Complaint, and this Order on them without prepayment of fees and costs or security therefor.

Dated this 2nd day of August, 2010.


UNITED STATES DISTRICT JUDGE