

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

KENNETH L. WALLER, JR., ADC #103829

PLAINTIFF

v.

NO. 1:11CV00095 JLH/JTR

BILLY COWELL, Health Services Administrator,
Corizon Medical Services, *et al.*

DEFENDANTS

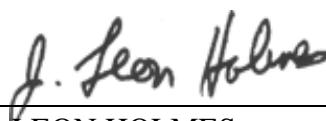
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, 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. Defendants' motion for summary judgment is GRANTED. Document #108.
2. Plaintiff's section 1983 claim that defendants Armstrong and Waldrupe denied him adequate medical care in August of 2011 is dismissed, without prejudice, based on plaintiff's failure to exhaust his administrative remedies.
3. Plaintiff's remaining section 1983 claims against defendants Nance, Hutchinson, Bridgeman, Armstrong, Waldrupe, Gilbert, Horn, Cowell, Bagwell and Corizon are dismissed, with prejudice.
4. Plaintiff's pendent medical malpractice claim is dismissed with prejudice.
5. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

DATED this 3rd day of September, 2013.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE