

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

BYRON ABDUL WALKER-MAHDI,
ADC #149318

PLAINTIFF

1:11-cv-00115-BSM-JTK

DOUG DIXON, et al.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motion for Reconsideration of this Court's denial of his Motion to Amend (Doc. No. 8). By Order dated December 20, 2011, this Court denied Plaintiff's request to add as a defendant, Wendy Kelley, based on his failure to provide a proposed amended complaint, or to state his claim against Ms. Kelley (Doc. No. 6). In his present Motion, Plaintiff asks the Court to reconsider that denial, and states that Defendant Kelley is liable because she failed to properly investigate the grievance appeals he submitted to her.

However, "failure to properly investigate or respond to a prisoner's grievances is not actionable under section 1983. Grievance procedures providing for an administrative remedy procedure do not create a liberty interest in access to that procedure." Fowler v. Crawford, No. 07-4197-CV-C-SOW, 2009 WL 2982922 (W.D.MO 2009), citing Buckley v. Barlow, 997 F.2d 494, 495 (8th Cir. 1993). Therefore, Plaintiff's Motion for Reconsideration will be denied. Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Reconsideration (Doc. No. 8) is DENIED. DATED this 10th day of January, 2012.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE