

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

JOE ROBINSON,  
ADC #654204

PLAINTIFF

V.

1:12CV00068 SWW/JTR

DAVE LUCAS,  
Sheriff of Jackson County, 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. Plaintiff may PROCEED with his inadequate medical care and retaliation claims against Defendants in their individual capacities only.
2. Plaintiff's official capacity claims are DISMISSED, WITHOUT PREJUDICE, for failing to state a claim upon which relief may be granted.
3. The Clerk is directed to prepare a summons for Defendants, and the U.S. Marshal is directed to serve the summons, Complaint, Amended Complaint, and this

Order on them without prepayment of fees and costs or security therefor.<sup>1</sup>

4. 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.

Dated this 13<sup>th</sup> day of August 2012.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> If any of the Defendants are no longer Jackson County employees, the individual responding to service shall file his last known private mailing address under seal.