

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

**KENNETH L. WALLER,
ADC #103829**

PLAINTIFF

v.

Case No. 1:13-cv-00025-KGB-JTK

JOHN MAPLES, JR., et al.

DEFENDANTS

ORDER

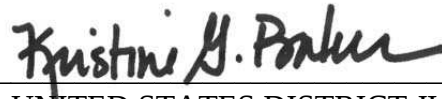
The Court has received Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 42). There have been no objections filed, and the time for filing objections has now passed. After a review of the Proposed Findings and Recommendations, the Court adopts them in their entirety.

It is therefore ordered that:

1. Defendants' motion for summary judgment is granted (Dkt. No. 43).
2. Plaintiff Kenneth L. Waller's excessive force and deliberate indifference claims against defendants are dismissed with prejudice.
3. Mr. Waller's monetary claims against defendants in their official capacities are dismissed.
4. As all claims pending against him have been disposed of by this Court's Order, defendant Danny Neldon is dismissed as a named defendant.

5. The remaining defendants may file a dispositive motion relating to the retaliation claims within 30 days of the date of this Order.

IT IS SO ORDERED this 2nd day of June, 2014.

A handwritten signature in black ink, reading "Kristine G. Parker". The signature is written in a cursive, flowing style. The first name "Kristine" is written with a capital 'K' and a dot over the 'i'. The middle initial "G." is written with a capital 'G' and a dot. The last name "Parker" is written with a capital 'P' and a trailing flourish.

UNITED STATES DISTRICT JUDGE