

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

JOSEPH W. MAY,
ADC #100355

PLAINTIFF

v.

No. 1:13CV00041 JLH/JTR

JOHN MAPLES, JR., Warden,
Grimes Unit, ADC, 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. The plaintiff may PROCEED with his October 16, 2010,¹ failure to protect claim against defendants Meglothlin and Foote, and all other claims and defendants are DISMISSED, WITHOUT PREJUDICE.

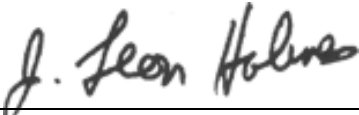
2. The Clerk is directed to prepare a summons for defendants Meglothlin and Foote. The U.S. Marshal is directed to serve the summons, substituted complaint, amended substituted complaint, and this Order on them through the ADC Compliance Division without prepayment of fees and costs or security therefor.²

¹ If May wishes to proceed on his other claims, he must file a separate complaint in a separate action.

² If either of the defendants is no longer an ADC employee, the ADC Compliance Division must file the unserved defendant's last known private mailing address **under seal**.

3. 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 25th day of June, 2013.



UNITED STATES DISTRICT JUDGE