

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

BRENT LAVON DAVIS
ADC #149851

PLAINTIFF

v.

No. 1:14-cv-46-DPM-JTR

RHONDA STANFORD, Nurse, ADC,
Scott Grimes Unit; BILLY COWELL, Health
Services Administrator, ADC, Scott Grimes
Unit; and MARCUS WILKERSON,
Sergeant, ADC, Scott Grimes Unit

DEFENDANTS

ORDER

Unopposed partial recommendations, *No 79 and No 80*, adopted with one change.* FED. R. CIV. P. 72(b) (1983 Addition to Advisory Committee Notes).

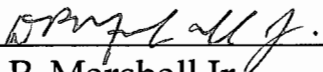
Wilkerson's Motion for Partial Summary Judgment, *No 29*, is granted. Davis may proceed with his claim that Wilkerson denied him adequate medical care on 24 September 2013. Davis's other claims against Wilkerson are dismissed without prejudice for failure to exhaust.

*The first sentence in paragraph 7 of the "Facts" section, *No 80 at 4*, should read: "At approximately 1:30 a.m. on September 29, 2013, Nurse Stanford checked on Plaintiff during segregation rounds." *No 58-2 at 10*.

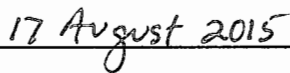
Cowell and Stanford's Motion for Summary Judgment, No 57, is granted. Davis's claims against Cowell are dismissed without prejudice for failure to exhaust. Davis's claim against Stanford is dismissed with prejudice.

An *in forma pauperis* appeal from this Order will not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge



17 August 2015