

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

WILLIAM BURGESS  
ADC #127925

PLAINTIFF

v.

No. 1:15-cv-67-DPM-PSH

BRIAN SHERROD, Deputy, Sharp  
County Jail; CODY BAILEY, Deputy,  
Sharp County Jail; STAN HANNEY, Jail  
Administrator, Sharp County Jail; and  
MARK COUNTS, Sheriff, Sharp County

DEFENDANTS

ORDER

1. Unopposed recommendation, *No* 85, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Burgess's motion for summary judgment, *No* 69, is denied. Bailey, Counts, and Hanney's joint motion for summary judgment, *No* 70, is granted. All Burgess's claims against them are dismissed with prejudice. Defendant Sherrod's motion for summary judgment, *No* 74, is denied.

2. The Court will hold a bench trial on Burgess's remaining claim against Sherrod on 30 October 2017 at 9:30 a.m. A Final Scheduling Order will issue soon. The Court asks Magistrate Judge Harris to appoint counsel to represent Burgess.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

28 December 2016