

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

**CHRISTOPHER GEORGE KNOX
ADC #651242**

PLAINTIFF

V.

CASE NO. 1:15-CV-86 JM/BD

WENDY KELLEY, et al.

DEFENDANTS

ORDER

The Court has received a Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere. After careful review of the Recommendation, the parties’ timely objections, as well as a *de novo* review of the record, the Court concludes that the Recommendation should be rejected based upon the evidence presented by the ADC Defendants in the objections. Based on the newly produced evidence, the grievance process was available, yet Mr. Knox failed to utilize it while he was housed in segregation.

The ADC Defendants’ first motion for summary judgment (docket entry #25) is GRANTED. Mr. Knox’s claims against Defendant Howard are DISMISSED, without prejudice, based on his failure to exhaust his administrative remedies. In addition, his retaliatory discipline claims against Defendants Golden and Davis are DISMISSED, without prejudice, based on his failure to exhaust his administrative remedies.

The ADC Defendants’ second motion for summary judgment (#51) is GRANTED. Mr. Knox’s claims against Defendant Ramsey are DISMISSED, without prejudice, based on his failure to exhaust his administrative remedies. Mr. Knox’s failure-to-protect claims

against Defendants Naracon and Garcia, as well as his deliberate-indifference claim against Defendants Golden and Davis are DISMISSED, without prejudice, based on his failure to exhaust his administrative remedies .

IT IS SO ORDERED, this 1st day of February, 2016.



UNITED STATES DISTRICT JUDGE