

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

ZACHERY KING,
ADC #142754

PLAINTIFF

V.

1:15CV00090 JM/JTR

JAMES BANKS,
Warden, Grimes Unit, ADC, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommendation submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Recommendation is approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff may proceed with his Eighth Amendment conditions of confinement claim against Defendants Ramsey, Howard, Lee, and Ring.
2. All other claims and Defendants are dismissed without prejudice.
3. The Clerk is directed to prepare a summons for Defendants Ramsey, Howard, Lee, and Ring. The U.S. Marshal is directed to serve the complaint, amended complaint, and this Order on them through the ADC Compliance Division without prepayment of fees and costs or security therefor. If any of the Defendants are no longer ADC employees, the ADC Compliance Office must file a **sealed** statement providing the unserved Defendant's last known private mailing address.
4. It is certified, 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 26th day of October, 2015.



UNITED STATES DISTRICT JUDGE