

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

CLAUDE EDWARD FINLEY
ADC # 101945

PLAINTIFF

v.

1:15CV00131-JM-JJV

J. BAUMGARDNER, Sergeant,
North Central Unit; *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended 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. Defendants' Motion for Summary Judgment (Doc. No. 43) is GRANTED.
2. Plaintiff's claims against Defendants Selvey and Smith are DISMISSED without prejudice for failure to exhaust administrative remedies.
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 5th day of August, 2016.



JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE