

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

TAMMY TILLERY

PLAINTIFF

v.

No. 1:16-cv-69-DPM

WENDY LYNNE KELLEY, in her
individual and official capacity as the
Director of the Arkansas Department of
Correction; DEXTER L. PAYNE, in his
individual and official capacity as Deputy
Director of the ADC; STEPHEN D. WILLIAMS
in his individual and official capacity as Warden
of the North Central Unit of the ADC; and
BILLY W. INMAN, in his individual and official
capacity as Deputy Warden of the North Central
Unit of the ADC

DEFENDANTS

ORDER

1. For the reasons stated on the record at the end of the trial:

- Tillery's motion for an injunction, *No 9*, is denied;
- All of Tillery's oral motions (new and renewed at trial) are denied;
- The ADC Defendants' motion for judgment as a matter of law is granted on all official-capacity claims for damages and otherwise denied.

2. On the merits, the Court intended to say, but failed to do so, that it

also relied on several Court of Appeals' decisions: *Ware v. Morrison*, 276 F.3d 385 (8th Cir. 2002); *Taylor v. Armontrout*, 894 F.2d 961 (8th Cir. 1989); and *Benzel v. Grammer*, 869 F.2d 1105 (8th Cir. 1989).

So Ordered.

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

22 December 2016