

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