

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

LESTER BROWN
ADC #137598

PLAINTIFF

v.

No. 1:16-cv-168-DPM-JTK

CODY M. McCORMICK, Sergeant, Grimes
Unit, ADC; and JAMES HILL,
Sergeant, Grimes Unit, ADC

DEFENDANTS

ORDER

1. Unopposed partial recommendation, *No 45*, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Defendants' motion and amended motion to dismiss, *No 19 & 27*, construed as a motion for summary judgment, are denied.

2. On *de novo* review, the Court adopts the partial recommendation, *No 59*, and overrules Brown's objections, *No 60 & 66*. FED. R. CIV. P. 72(b)(3). Brown's motion for summary judgment, *No 51*, is denied.

So Ordered.

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

2 June 2017