

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

**RICHARD WEAVER**

**PETITIONER**

**VS.**

**NO. 1:17-cv-00001 BRW/PSH**

**CHRIS BROWN**

**RESPONDENT**

**ORDER**

I have received findings and a recommendation from Magistrate Judge Patricia S. Harris. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, I approve and adopt the findings and recommendation in all respects.

Accordingly, Respondent Chris Brown is dismissed from this case, and Wendy Kelley (“Kelley”) is joined as the new respondent. The Clerk of the Court is directed to change the style of this case to reflect Kelley’s joinder.

To the extent Plaintiff challenges his conditions of confinement while housed in the Cleburne County Detention Center, his claims are dismissed without prejudice. He may proceed only with the claims that call into question the fact or duration of his apparent guilty plea in Cleburne County Circuit Court case number 2015-160. To the extent he seeks monetary compensation, his request is also dismissed without prejudice.

Plaintiff may file an amended petition pursuant to 28 U.S.C. 2254 in which he incorporates any additional claims into this case. He is given thirty days from the date of this order to file an amended petition, after which time service will be ordered on Kelley.

IT IS SO ORDERED this 21st day of July, 2017.

/s/ Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE