

**N THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

CARL DANIEL JACKSON
ADC #980003

PLAINTIFF

v.

No. 2:06CV000092 JLH/HDY

SPEED *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge H. David Young . No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

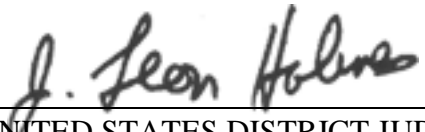
IT IS THEREFORE ORDERED that:

1. The Motion for Summary Judgment of separate Correctional Medical Services Defendants (docket entry #152) is DENIED AS MOOT;
2. Defendant Hickey is DISMISSED pursuant to Rule 4(m) of the Federal Rules of Civil Procedure;
3. The John Doe Defendants are DISMISSED;
4. The Motion for Summary Judgment of separate Arkansas Department of Correction Defendants Barns, Decorsey, Avant, Maney, Golatt, Brooks, and Williams (docket entry # 146) is GRANTED IN PART, DENIED IN PART;
5. Plaintiff's claims that he was denied a bed mat or water are DISMISSED without prejudice for failure to exhaust administrative remedies;

6. Arkansas Department of Correction Defendants Barns, Decorsey, Avant, Maney, Golatt, Brooks, and Williams, as well as separate Defendants Speed and Ivey, are entitled to sovereign immunity as to the official capacity claims against them; and

7. Arkansas Department of Correction Defendants Barns, Decorsey, Avant, Maney, Golatt, Brooks, and Williams, as well as separate Defendants Speed and Ivey, are not entitled to qualified immunity.

DATED this 2nd day of October, 2008.



UNITED STATES DISTRICT JUDGE