

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

**DAVID WILLIAMS
ADC #78730**

PLAINTIFF

v.

2:09CV00044-WRW-JTR

**GREG HARMON, Warden,
East Arkansas Regional Unit, et al.**

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray and the objections filed. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition are approved and adopted in their entirety as this Court's findings in all respects.

Based on the screening function mandated by 28 U.S.C. § 1915A: (a) Plaintiff may proceed with his denial of yard call, handcuffing, and inadequate medical care claims against Defendants Harmon, Jackson, Ester, Evans, Stewart, Foreman, Parker, Jamison, Maney, Decoursey, Ivory, Dean, Franklin, and Clemmons; (b) Defendants Bryant, Barton, and Harjo are VOLUNTARILY DISMISSED, WITHOUT PREJUDICE; and (c) all other claims and Defendants are DISMISSED, WITHOUT PREJUDICE.

Further, the Court certifies, based on 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith. The Clerk is directed to prepare a summons for Defendants Harmon, Jackson, Ester, Evans, Stewart, Foreman, Parker, Jamison, Maney, Decoursey, Ivory, Dean, Franklin, and Clemmons. The United States Marshal is directed to serve

the summons, the Substituted Complaint (Doc. No. 6), and this Order on those Defendants through the ADC Compliance Division, without prepayment of fees and costs or security therefor.¹

IT IS SO ORDERED this 16th day of June, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹If any of the Defendants are no longer ADC employees, the ADC Compliance Office will file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.