

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

BRANDON EVERETT BROWN  
ADC #142315

PLAINTIFF

V.

NO: 2:09CV00133 SWW/HDY

MARCO AVANT *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Partial Recommended 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 Partial Recommended 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 filed by Defendants Marco Avant and Wanda Brooks (docket entry #131), is GRANTED IN PART AND DENIED IN PART.
2. The motion is granted to the extent that Plaintiff's claims regarding delayed and inadequate medical care are DISMISSED WITH PREJUDICE.
3. The motion is denied with respect to Plaintiff's claims of excessive force against Avant and failure to protect against Brooks.

IT IS SO ORDERED THIS 5<sup>th</sup> DAY OF JANUARY, 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE