

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

MALICH REED  
REG. #28371-177

PLAINTIFF

V.

NO: 2:10CV00159 SWW/HDY

JOHN DOES

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. Defendants' motion for summary judgment (docket entry #20) is GRANTED IN PART AND DENIED IN PART.
2. Defendants' motion is GRANTED with respect to Plaintiff's conditions of confinement claims, and all such claims are DISMISSED WITHOUT PREJUDICE due to Plaintiff's failure to exhaust his administrative remedies prior to filing this lawsuit.
3. Defendants' motion is DENIED with respect to his excessive force claims.

DATED this 7<sup>th</sup> day of July 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE