

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

**GUILLERMO QUINONES
REG# 22965-004**

PLAINTIFF

v.

No. 2:11-cv-149-DPM

**T.C. OUTLAW, Warden, FCI-Forrest City;
JILL DUBE-GILLEY, Unit Manager, FCI-Forrest City;
G. MALDONADO JR., Regional Director, South
Central Region, Federal Bureau of Prisons; JORGE
L. PASTRANA, Warden, FCI-Coleman; AMY
CARLTON, Associate Warden, FCI-Forrest City;
A. MOLINA, Doctor, FCI-Forrest City; and D.W.
HEUETT, Associate Warden, FCI-Forrest City**

DEFENDANTS

ORDER

Instead of objecting to the Honorable J. Thomas Ray's Proposed Findings and Recommended Partial Disposition, *Document No. 9*, Quinones has filed another proposed amended complaint. The Clerk docketed the paper, *Document No. 11*, as a motion to amend.

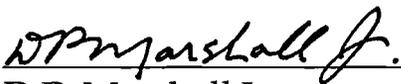
On *de novo* review, the Court adopts Magistrate Judge Ray's proposal in part and rejects it in part. Quinones's access-to-courts claim, his equal-protection claim, and his due process claim – which run against Defendants Outlaw, Dube-Gilley, Malonado, and Pastrana – are all dismissed without

prejudice. Quinones may pursue those claims in his pending § 2241 habeas action.

For screening purposes only, the Court concludes that Quinones's proposed second amended complaint pleads sufficient facts to state retaliation, inadequate-care, and conspiracy claims against Defendants Outlaw, Carlton, Molina, Dube-Gilley, and Heuett. The Court therefore directs the Clerk to show *Document No. 11* as granted and the paper will stand as Quinones's second amended complaint. The Court further directs the Clerk to issue summonses. And the Court directs the U.S. Marshal to serve *Document No. 11* and summons on Defendants Outlaw, Carlton, Molina, Dube-Gilley, and Heuett, and file proof of service.

The Court certifies that an *in forma pauperis* appeal of the decisions made in this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge

3 January 2012