

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

**DONNIE B. JAMES, ADC #89050**

**PLAINTIFF**

**v.**

**CASE NO. 2:11CV00161 BSM/JTR**

**DR. DON BALL,  
Correctional Medical Services, Inc. et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended partial disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections were filed. After carefully considering this document and making a *de novo* review of the record, it is concluded that the proposed findings and recommended partial disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Separate defendant Kelley's motion for summary judgment [Doc. No. 31] is granted, and she is dismissed without prejudice from this action.
2. It is hereby certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

Dated this 17th day of May 2012.

  
UNITED STATES DISTRICT JUDGE