

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

RODNEY S. HOLT

PLAINTIFF

V.

2:11CV00180 SWW/JTR

T.C. OUTLAW, Warden
FCI, Forrest City, Arkansas, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial 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 to Dismiss in Lieu of Answer (docket entry #13) is GRANTED IN PART and DENIED IN PART.
2. Plaintiff may PROCEED with his Eighth Amendment inadequate medical care claim against Defendants Peikar and Does.
3. All other claims and Defendants are DISMISSED, WITHOUT PREJUDICE.

4. Pursuant to Fed. R. Civ. P. 12(a)(4)(A), Defendant Peikar must file an Answer within fourteen days of the entry of this Order.

Dated this 16th day of May 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE