

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

TAVARUS MONTGOMERY,

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Plaintiff,

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v.

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MARCUS ETHERLY, Lt., East Arkansas
Regional Unit, Arkansas Department of
Correction; *et al.*,

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No. 2:11-cv-00200-SWW-JJV

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Defendants.

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ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, 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. Plaintiff's claims for monetary damages against the Defendants in their official capacities are DISMISSED.

SO ORDERED this 30th day of July, 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE