

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

CHARLES A. WINSTON
ADC #84733

PLAINTIFF

V.

NO: 2:12CV00084 JMM/HDY

MARCUS I. ETHERLY *et al.*

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 all of Plaintiff's claims except for Defendant Marcus I. Etherly's alleged use of excessive force on May 5, 2009, and his alleged retaliation on October 23, 2010, and November 1, 2010, are DISMISSED WITHOUT PREJUDICE, and the names of all Defendants other than Etherly are removed as party Defendants.

DATED this 3rd day of August, 2012.


UNITED STATES DISTRICT JUDGE