

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

MICHAEL HASTINGS, ADC # 110772

Plaintiff,

v.

JACKIE OXNER, Sheriff, Lee County;
et al.

Defendants.

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No. 2:12CV00212-SWW-JJV

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. The Motion for Summary Judgment (Doc. No. 63) filed by Sheriff Oxner and Captain Guynes is GRANTED and they are dismissed as defendants.

2. The Motion for Summary Judgment (Doc. No. 66) filed by Defendants Clay, Barnes and Miles is GRANTED in part and DENIED in part:

A. The official capacity claims for monetary damages, deliberate indifference to medical needs claims, retaliation claims, and verbal harassment claim are DISMISSED and Defendant Miles is dismissed as a defendant.

B. Summary judgment on the due process claim against Defendants Barnes and Clay is DENIED.

SO ORDERED this 10th day of February, 2014.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE