

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

**TIBAL CLARKE,
Reg. #97273-071**

PLAINTIFF

v.

Case No. 2:13-cv-00026-KGB-JTR

**ELLA TAYLOR,
Registered Nurse, FCI-FC, et al.**

DEFENDANTS

ORDER

The Court has received Proposed Findings and Recommended Partial Disposition from United States Magistrate Judge J. Thomas Ray (Dkt. No. 127). No objections have been filed. After careful consideration, the Court finds 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 Court grants in part and denies in part the motion for summary judgment filed by the individual defendants (Dkt. No. 107). The Court grants the motion as to defendants Ella Taylor, Amy Barker, and Kathleen Maples and denies the motion as to defendants Dr. Hipolito Matos and Dr. Nader Peikar.

2. The Court dismisses with prejudice plaintiff Tibal Clarke's *Bivens* claims against Ms. Taylor, Ms. Barker, and Ms. Maples.

3. Mr. Clarke may proceed with his *Bivens* claims against Dr. Matos and Dr. Peikar and his Federal Tort Claim Act ("FTCA") negligence claim against the United States of America.

4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from the Order would not be taken in good faith.

SO ORDERED this the 30th day of March, 2015.

A handwritten signature in black ink that reads "Kristine G. Baker". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Kristine G. Baker
United States District Judge