

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

GUILLERMO QUINONES,
REG. #22965-004

PLAINTIFF

v.

No. 2:13CV00099-JLH-JJV

ERIC HOLDER, U.S. Attorney General,
Department of Justice, *et al.*,

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Partial Recommended 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 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:

1. The hearing transcript from *Quinones v. United States*, No. 2:13CV00019 (Document #41), is incorporated herein as part of the record in this case.

2. Defendant's motion to dismiss (Document #47) is GRANTED in part and DENIED in part:

A. Defendant G. Edward Bryant is DISMISSED for plaintiff's failure to state a claim upon which relief may be granted.

B. Plaintiff's claim that Dr. Bryant operated on his wrong eye is barred by the statute of limitations.

C. The motion to dismiss based on statute of limitations is DENIED in all other respects.

D. The motion to dismiss based on the doctrine of collateral estoppel is DENIED.

E. The motion to dismiss based on insufficient service of process is rendered

moot.

DATED this 23rd day of June, 2014.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE