

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

HARRY W. ANDREWS,
ADC #83824

PLAINTIFF

V.

2:15CV00073 JM/JTR

WENDY KELLEY,
Director, ADC, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff may proceed with his retaliation claim against Defendants Kelley, Lay, Westbrook, Green-Davis, and Ford.
2. All other claims and Defendants are dismissed without prejudice for failing to state a claim upon which relief may be granted.
3. The Clerk is directed to prepare a summons for Defendants Kelley, Lay, Westbrook, Green-Davis, and Ford. The U.S. Marshal is directed to serve the

summons, Substituted Complaint, and this Order on them through the ADC Compliance Office without prepayment of fees and costs or security therefor¹

4. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 12th day of August, 2015.



UNITED STATES DISTRICT JUDGE

¹ If any of the Defendants are no longer ADC employees, the ADC Compliance Office must file a **sealed** statement containing the unserved Defendant's last known private mailing address.

