

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

JEREMIE DALE BRYANT
ADC#127178

PLAINTIFF

v.

No. 2:16-cv-12-DPM-PSH

RORY L. GRIFFIN, Chief Deputy Director for
Medical Services, ADC; AMY ROWLAND, Health
Services Administrator, EARU; BRETT BUTLER,
Provider, EARU; ARIC SIMMONS, Provider, EARU;
PATRICK DRUMMONDS, APN, EARU; TAMMY
LYNN KIMBLE, RN, EARU; YAVONDA KEY,
Director of Nursing, EARU; and DATRICE SLEDGE,
Director of Nursing, EARU

DEFENDANTS

ORDER

On *de novo* review, the Court adopts the recommendation with one addition, *No* 67, and overrules Griffin's objections with one exception, *No* 68. FED. R. CIV. P. 72(b)(3). Griffin is right: merely participating in the grievance process is insufficient to hook a defendant; but, as Magistrate Judge Harris concluded, Bryant alleges more involvement and responsibility by Griffin than mere participation. We'll see what the facts show. Qualified immunity needs to hang fire until Magistrate Judge Harris expresses a view. Griffin is clearly right, though, on sovereign immunity: any claim for damages against

Griffin in his official capacity is dismissed with prejudice. *Will v. Michigan Department of State Police*, 491 U.S. 58, 71 (1989).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

29 September 2016