

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

TYRONE ELLIS  
ADC #149250

PLAINTIFF

v.

No. 2:16-cv-42-DPM


PATRICK DRUMMOND, APN,  
East Arkansas Regional Unit

DEFENDANT

ORDER

On *de novo* review, the Court adopts Magistrate Judge Volpe's recommendation as supplemented, *No* 41, and overrules Ellis's objection, *No* 42. FED. R. CIV. P. 72(b)(3). Someone dropped the ball, perhaps the LPN or perhaps the person responsible for making sure referred inmates get seen promptly by a doctor or an APN. But Ellis hasn't sued the person responsible for follow through, and thus can't make a case of deliberate indifference (subjective or objective) in the constitutional sense. Drummond's motion for summary judgment, *No* 36, is granted. Ellis's complaint will be dismissed with prejudice.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

16 December 2016