

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

**REX ALLEN HEATH,  
ADC #132746**

**PLAINTIFF**

**CASE NO. 2:17-CV-120-JM/BD**

**MARTHA DEPORTER, et al.**

**DEFENDANTS**

**ORDER**

The Court has received a Partial Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere. The parties have not filed objections. After careful consideration of the Recommendation, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

Mr. Heath’s claims against Defendants Deporter and Beashan in their official capacities are DISMISSED, without prejudice. In addition, his claims against Defendant Smith are DISMISSED, without prejudice. The Clerk is instructed to terminate Defendant Smith as a party Defendant.

IT IS SO ORDERED, this 6<sup>th</sup> day of September, 2017.

  
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UNITED STATES DISTRICT JUDGE