

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

WILBERTO ROBLEDO RIOS
Reg. #73227-018

PLAINTIFF

v.

Case No. 2:22-cv-00166-KGB

MAHARAJ ALEXANDRO TOMAR

DEFENDANT

ORDER

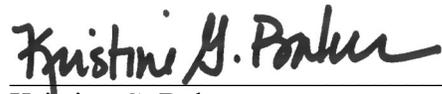
Before the Court are a Partial Recommended Disposition and Recommended Disposition submitted by United States Magistrate Judge Edie R. Ervin (Dkt. Nos. 15; 32). Plaintiff Wilberto Robledo Rios is an inmate incarcerated at the Bureau of Prisons' Federal Correctional Institution in Forrest City, Arkansas.

In the Partial Recommended Disposition, Judge Ervin screens Mr. Rios's memorandum in support of his complaint and amended complaint and recommends that the Court dismiss without prejudice Mr. Rios's claims against the Bureau of Prisons, Juan Baltazar, Christopher A. Wray, and the John Doe defendants based on Mr. Rios's failure to state a plausible claim for relief (Dkt. No. 15, at 5). Mr. Rios did not file any objections to the Partial Recommended Disposition, and the time for filing objections has passed. Accordingly, after careful consideration, the Court approves and adopts the Partial Recommended Disposition in its entirety as this Court's findings in all respects (Dkt. No. 15). The Court dismisses without prejudice Mr. Rios's claims against the Bureau of Prisons, Mr. Baltazar, Mr. Wray, and the Doe defendants for failure to state a plausible claim for relief. The Clerk is instructed to terminate as party defendants the Bureau of Prisons, Mr. Baltazar, Mr. Wray, and the Doe defendants.

Also before the Court is Judge Ervin's Recommended Disposition recommending that this Court grant Maharaj Alejandro Tomar, M.D.'s motion for summary judgment and dismiss without

prejudice Mr. Rios's claims against him for failure to exhaust administrative remedies (Dkt. No. 32). Mr. Rios did not file any objections to the Recommended Disposition, and the time for filing objections has passed. Accordingly, after careful consideration, the Court adopts the Recommended Disposition in its entirety as this Court's findings in all respects (Dkt. No. 32). The Court grants Dr. Tomar's motion for summary judgment (Dkt. No. 26). The Court dismisses Mr. Rios's claims against Dr. Tomar without prejudice for failure to exhaust his administrative remedies. The Clerk is directed to close the case.

It is so ordered this 30th day of August, 2024.



Kristine G. Baker

Chief United States District Judge