

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

CORNELIUS MARQUEL SMITH

PLAINTIFF

V.

No. 3:08CV0153 WRW-BD

MIKE ETTER, et al.

DEFENDANTS

ORDER

The Court has received the Partial Recommended Disposition from Magistrate Judge Beth Deere. The parties have not filed any objections. After careful review of the Partial Recommended Disposition, as well as a *de novo* review of the record, the Court concludes that the Partial Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Accordingly, the Court hereby dismisses Plaintiff's due process claim without prejudice and dismisses all claims against Defendant McCain without prejudice.

IT IS SO ORDERED this 7th day of November, 2008.

/s/ Wm. R. Wilson, Jr. _____
UNITED STATES DISTRICT JUDGE