

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

**JOSHUAL JAMES  
ADC # 148176**

**PLAINTIFF**

**v.**

**No. 3:12-cv-122-DPM-HDY**

**JACK McCANN; JOHN SMITH,  
Administrator, Craighead County Jail;  
JEREMY SPARKS, Lietenant, Assistant  
Administrator, Craighead County Jail;  
MATTHEW KIRBY; BROCK McFARLIN; and  
WILLIAM McGEE**

**DEFENDANTS**

**ORDER**

Only James has objected to Magistrate Judge H. David Young's recommendation, *No 68*, that the Court dismiss all official-capacity claims; dismiss James's individual-capacity claims against McCann, Smith, and Sparks; and allow James to proceed with his individual-capacity claims against Kirby, McFarlin, and McGee. On *de novo* review, FED. R. CIV. P. 72(b)(3), the Court adopts Judge Young's recommendation as its own opinion.

Joint report on the estimated length of trial, number of witnesses, and consent (or not) to trial before Magistrate Judge Young due by 31 May 2013. Because of the need to handle other older cases first, a trial before me is unlikely for about a year or so.

So Ordered.

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

*16 May 2013*