

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

RODNEY W. MCCLANTON

PLAINTIFF

v.

No. 3:12CV00252 JLH/JTR

PAUL PAYMENT, Jailer,  
Crittenden County Detention Facility, *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. The plaintiff has no objections to the Proposed Findings and Recommended Partial Disposition. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff's claims against defendants, in their official capacities, are DISMISSED WITHOUT PREJUDICE.
2. Plaintiff may PROCEED with his excessive force and failure to protect claims against defendants in their individual capacities only.
3. The Clerk is directed to prepare a summons for defendants Payment, Nelson, Brown, and Bearden, and the U.S. Marshal is directed to serve the summons, complaint, and this order on them without prepayment of fees and costs or security therefor.
4. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

DATED this 29th day of November, 2012.

  
UNITED STATES DISTRICT JUDGE