

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

**WILLARD EUGENE BERRY,
ADC #660408**

PLAINTIFF

v.

CASE NO. 3:15CV00378 BSM

BRIAN DOSS, et al.

DEFENDANTS

ORDER

The partial recommended disposition [Doc. No. 51] submitted by United States Magistrate Judge Beth Deere and defendants' objections [Doc. No. 53] have been reviewed. After careful consideration, the partial recommended disposition is hereby adopted in all respects. Accordingly, defendants' motion for summary judgment [Doc. No. 44] is granted in part and denied in part. Plaintiff Willard Berry's claim for injunctive relief from the defendants is denied as moot. In addition, Berry's claims for money damages against the defendants in their official capacities are dismissed with prejudice. Berry's claim against defendant Jeremy Sparks is dismissed without prejudice. Berry shall proceed, however, on his failure-to-protect claims for money damages against defendants Brian Doss, Carol McFarlin, and Hardesty in their individual capacities.

IT IS SO ORDERED this 14th day of June 2017.



UNITED STATES DISTRICT JUDGE