

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

**CHRISTOPHER EVERETT
ADC #152664**

PLAINTIFF

v.

Case No. 3:20-cv-00256-KGB-JJV

HUNT, Sergeant, NCU, et al.


DEFENDANTS

ORDER

The Court has reviewed the proposed findings and recommendations submitted by United States Magistrate Judge Joe J. Volpe (Dkt. No. 5). Plaintiff Christopher Everett has not objected, and the time for filing objections has passed. After careful review, the Court adopts the proposed findings and recommendations as its findings in all respects.

Therefore, Mr. Everett may proceed with his excessive force, sexual assault, and failure to protect claims against defendants Hunt, Droz, Labouf, Jackson, and Payne in their individual capacities only. Mr. Everett's official capacity claims seeking monetary relief only are dismissed with prejudice, and all other claims raised in the amended complaint (Dkt. No. 4) are dismissed without prejudice. It is certified that an *in forma pauperis* appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So ordered this 21st day of October, 2020.



Kristine G. Baker
United States District Judge