

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

**CARTUS HAWKINS**

**PLAINTIFF**

**V.**

**No. 4:08CV01791 WRW-BD**

**KARL BYRD, et al.**

**DEFENDANTS**

**ORDER**

The Court has received the Partial Recommended Disposition from Magistrate Judge Beth Deere. The parties have not filed 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.

Defendants' Motion for Summary Judgment (docket entry #61) is GRANTED IN PART and DENIED IN PART. Plaintiff's claims regarding the sleeping conditions or uncleanliness at the Faulkner County Detention Facility are DISMISSED WITH PREJUDICE. Plaintiff may proceed on his claim regarding the use of seventy-two hour restraints against Defendants Neal, Granthom, and Wilcox. Plaintiff may proceed on his due process claim against Defendants Granthom and Piechuski. Plaintiff may proceed on his First Amendment claim against Defendants Pickard and Granthom.

IT IS SO ORDERED, this 12th day of May, 2009.

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