

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

HAKIM MALIK WILLIAMS  
ADC #92994

PLAINTIFF

V.

4:09CV00060 BSM/JTR

PAXSON, Captain,  
Pulaski County Jail, et al.

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. 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. Pursuant to the screening function mandated by 28 U.S.C. § 1915A: (1) Defendant Talley is DISMISSED, WITH PREJUDICE, because Plaintiff has failed to state a viable due process claim against him; and (2) Plaintiff shall PROCEED with his excessive force claims against the remaining Defendants.

2. 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.

3. The Clerk is directed to prepare a Summons for Defendants Paxson, Green, Hendrix, Burnett, Jackson, Miller, Bangs, Bennett, Blankton, McKeever, and Morgan, and the U.S. Marshal

is directed to serve the summons, Complaint, Amended Complaint, and this Order on them without prepayment of fees and costs or security therefor.<sup>1</sup>

Dated this 27th day of March, 2009.

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> If any of the Defendants are no longer Pulaski County employees, the person responding to service shall file, with the return of unexecuted service, a **SEALED** Statement providing the unserved Defendant's last known private mailing address.