

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

CARLTON XAVIER RUSSELL

PLAINTIFF

V.

4:10CV00118 SWW/JTR

SILAS, Deputy,
White 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. 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, Defendants Silas, Stuart, Edwards, Doemont, and Jackson are DISMISSED, WITH PREJUDICE, because Plaintiff has failed to raise claims against them.

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 Heathscott, Hacker, and Zomant. The United States Marshal is directed to serve the summons, the Substituted Complaint (docket entry #5), and this Order on those Defendants without prepayment of fees and costs or

security therefor.¹

Dated this 21st day of May, 2010.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE

¹If any of the Defendants are no longer White County employees, the person responding to service shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.