

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

JAMES GRUNDON  
ADC #130906

PLAINTIFF

V.

NO: 4:10CV02017 JMM/HDY

BRUCE PENNINGTON *et al.*

DEFENDANTS

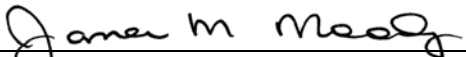
**ORDER**

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended 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. Defendants' oral motion to dismiss for lack of exhaustion is DENIED.
2. Plaintiff is allowed to continue to a jury trial.

DATED this 30th day of January, 2012.

  
UNITED STATES DISTRICT JUDGE