

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

RICHARD JERMAIN DUNCAN,
ADC # 654375

PLAINTIFF

v.

Case No. 4:10-cv-2046-DPM-JTK

E. MARTIN, JR.; G. CLARKE;
SCRUGGS; ALDER; DOC
HOLLADAY; and RANDY
MORGAN

DEFENDANTS

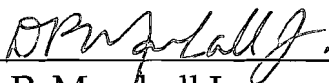
ORDER

The Court has considered Magistrate Judge Jerome T. Kearney's partial Proposed Findings and Recommended Disposition, *Document No. 11*, and conducted a careful review of the record. Duncan filed a response, indicating his agreement with Judge Kearney's recommended disposition. Having reviewed the proposal for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition), and for legal error, the Court adopts the proposal with one clarification. There is no "Defendant Holloway" in this case. *Document No. 11, at 3 & 4*. The Holloway analysis, as


Duncan acknowledges, *Document No. 13, at 1*, covers the claims against Sheriff Doc Holladay.

Duncan's claims against Holladay, and the verbal abuse claims against Martin and Clarke, are therefore dismissed without prejudice.

So Ordered.



D.P. Marshall Jr.
United States District Judge



16 May 2011