

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

CORNELL JACKSON

PLAINTIFF

V.

4:11CV00468 JMM/JTR

PULASKI COUNTY, 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. Plaintiff may PROCEED with his excessive force and inadequate medical care claims against Defendants Bangs, Oneal, and Mundy, in their individual capacities only.

2. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, Plaintiff's Fifth Amendment claims, his official capacity claims, and Defendant Pulaski County are DISMISSED, WITHOUT PREJUDICE, for failing to state a claim

upon which relief may be granted.

3. The Clerk is directed to prepare a summons for Defendants Bangs, Oneal, and Mundy. 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.¹

4. 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.

Dated this 8th day of August, 2011.


UNITED STATES DISTRICT JUDGE

¹If any of the Defendants are no longer Pulaski County employees, the individual 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.