

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

TYRONE V. MOSES  
ADC # 153122

PLAINTIFF

v.

No. 4:12-cv-489-DPM-JTK


WINTER, LPN, Faulkner County Detention  
Facility, and STEWART, Dr., Faulkner County  
Detention Facility

DEFENDANTS

ORDER

No one has objected to Magistrate Judge Jerome T. Kearney's Proposed Findings and Recommendations, *No* 30. Having reviewed for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (Advisory Committee notes to the 1983 addition), and for legal error, the Court adopts the proposal with one clarification: at this stage of the case, the qualified-immunity question is answered by the evidence of record, not on the allegations made. Stewart's and Winter's motion for summary judgment, *No* 23, is granted. Moses's claims against Stewart and Winter are dismissed with prejudice.

So Ordered.

  
D.P. Marshall Jr.  
United States District Judge

18 November 2013