

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

TONY GRIFFIN, SR.
ADC #150964

PLAINTIFF

v.

No. 4:13CV00625 JLH-JTK

MELANIE D. JONES-FOSTER, Doctor,
Wrightsville Unit, Arkansas Department of Correction

DEFENDANT

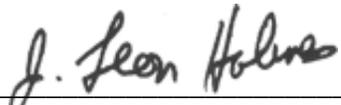
ORDER

Tony Griffin, Sr., an inmate at the Wrightsville Unit of the Arkansas Department of Correction, commenced this action by filing a complaint against Melanie D. Jones-Foster, a doctor at that unit, on October 31, 2013. Griffin alleges in his complaint that he has received inadequate medical care and that money has been improperly withdrawn from his ADC inmate account to pay for medical care. On November 12, 2013, the magistrate judge to whom this case is assigned issued a partial report and recommendation in which he recommended that the complaint regarding withdrawal of money from Griffin's inmate account be dismissed because Griffin has remedies in the Arkansas Department of Correction and the Arkansas Claims Commission that he has not pursued. Griffin's claims for inadequate medical services were not dismissed.

On December 12, 2013, the Court entered an Order adopting the report and recommendations and dismissing Griffin's property claims without prejudice because there had been no timely objections to the proposed findings and recommended disposition. On December 16, 2013, the Court received objections from Griffin. Those objections address only the inadequate medical care claims, which were not dismissed. Griffin has now filed a motion for reconsideration of the Order adopting the report and recommendation, and he points out that he did file an objection to the report and recommendation.

Upon *de novo* review, taking the objections as timely made, the Court again adopts the report and recommendation. Griffin's claims relating to the money withdrawn from his ADC inmate account are dismissed. His claims relating to inadequate medical care are not dismissed. The motion for reconsideration is therefore denied. Document #12.

IT IS SO ORDERED this 7th day of January, 2014.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE