

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

ALVIN AIKENS

PLAINTIFF

v.

NO. 4:13CV00664 JLH/HDY

JAMES HENNIGAN, *et al.*

DEFENDANTS

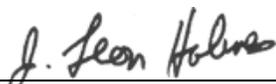
**ORDER**

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. The motion for summary judgment filed by defendants Matthew Briggs, Charles Holladay, and Richard Murphy is granted in part and denied in part. Document #26.
2. Plaintiff's claims against all defendants in their official capacity are dismissed without prejudice.
3. All of plaintiff's claims against Holladay and Briggs are dismissed with prejudice, and Holladay and Briggs are removed as party defendants.
4. Plaintiff's inadequate medical care claims are dismissed with prejudice.
5. The motion is denied to the extent that plaintiff is allowed to proceed with his excessive force claims against defendants Hennigan and Murphy in their individual capacity only.

DATED this 2nd day of December, 2014.

  
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UNITED STATES DISTRICT JUDGE