

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

JEFFERY WEBB, ADC #551387

PLAINTIFF

V.

4:14CV00402-BRW-JJV

**PULASKI COUNTY REGIONAL
DETENTION FACILITY; et al.**

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's Objections. After carefully considering the objections and making a *de novo* review of the record, 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's claims against Defendants Pulaski Regional Detention Facility, Morgan, and Forrest are DISMISSED without prejudice.
2. Plaintiff's retaliation claims against Defendant Elliot are DISMISSED without prejudice.
3. Plaintiff's deliberate indifference, denial of access to courts, and smoking claims against Defendants Holiday and Smith are DISMISSED without prejudice.
4. Plaintiff is allowed to proceed with his conditions of confinement claims against Defendants Holiday, Smith, Brawley, and Elliot.
5. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 29th day of September, 2014.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE