

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

JAMES FUDGE, ADC # 113396

PLAINTIFF

v.

CASE NO. 4:15CV00113 BSM

**JOHN STALEY, Sheriff,
Lonoke County Jail, et al.**

DEFENDANTS


ORDER

The proposed findings and partial recommended disposition (“PRD”) submitted by United States Magistrate Judge Joe J. Volpe and plaintiff’s objections thereto have been reviewed. After carefully considering the objections and reviewing the record *de novo*, the PRD are hereby approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff is allowed to proceed with his inadequate medical care and excessive force claims against defendant John Staley and his failure to intervene claim against Defendant McCoy;
2. All other claims and defendants are dismissed without prejudice; and,
3. It is certified, 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.

IT IS SO ORDERED this 20th day of May 2015.



UNITED STATES DISTRICT JUDGE