

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

**TED HAMILTON**

**PLAINTIFF**

**v.**

**CASE NO. 4:16-CV-00243 BSM**

**MELANIE JONES FOSTER,  
Physician, Wrightsville Unit, ADC; et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommendations [Doc. No. 49] submitted by United States Magistrate Judge Joe J. Volpe have been received. No objections have been filed. After careful consideration, the proposed findings and recommendations are adopted in their entirety. Accordingly, plaintiff Ted Hamilton's claim against defendant Melanie Jones Foster in her official capacity is dismissed, Jones Foster's motion for summary judgment [Doc. No. 46] is granted as to Hamilton's claim against her in her personal capacity, and this case is dismissed with prejudice. Furthermore, it is certified that an *in forma pauperis* appeal from the order and judgment would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 25th day of July 2017.



UNITED STATES DISTRICT JUDGE