

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

**PHILLIP WILLYARD
ADC #152418**

PLAINTIFF

V.

CASE NO. 4:16-CV-561 SWW-JTK

**CAREY JAMES, Detective/Officer, Russellville
Police Department; JAMES DUNHAM, Public
Defender/Attorney, Pope County Circuit Court**

DEFENDANTS

ORDER

The Court has received a Recommended Disposition (“Recommendation”) filed by Magistrate Judge Jerome T. Kearney. After careful review of the Recommendation, Plaintiff Phillip Willyard’s timely objections, as well as a *de novo* review of pertinent portions of the record, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

Plaintiff’s claim against Defendant Dunham is dismissed, and his claim against Defendant James may proceed. The Clerk of the Court is directed to prepare a summons for Defendant James, and the United States Marshal is directed to serve a copy of the complaint [ECF No. 2], this order, and summons, upon him, without prepayment of fees and costs or security therefor. Service should be attempted at the Russellville Police Department, 115 West H Street, Russellville, AR 72801.

IT IS SO ORDERED THIS 14TH DAY OF SEPTEMBER, 2016.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE