

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

**ANTHONY SMITH**

**PLAINTIFF**

**VS.**

**4:16CV00679 BRW/JTR**

**SCOTT BRADELY,  
Sheriff, Van Buren County, et al.**

**DEFENDANTS**

**ORDER**

I have reviewed the Recommendation submitted by United States Magistrate Judge J. Thomas Ray. No objections were filed. After careful review, I approve and adopt the Recommendation in its entirety as my findings in all respects.

Smith may proceed with his failure to protect, inadequate medical care, procedural due process, and equal protection claims against Bradely, Murray, Sutterfield, and Adams. The Clerk is directed to prepare a summons for each of them. The U.S. Marshal is directed to serve the summons, complaint, amended complaint, and this order on them without prepayment of fees and costs or security. If any of the defendants are no longer Van Buren County employees, the individual responding to service must file a **sealed** statement providing the unserved defendant's last known private mailing address.

Smith's inhumane conditions of confinement claim against Bradely, Murray, Sutterfield, and Adams are dismissed without prejudice.

It is certified that an *in forma pauperis* appeal would not be taken in good faith.<sup>1</sup>

IT IS SO ORDERED this 6th day of January, 2017.

/s/ Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>28 U.S.C. § 1915(a)(3).