

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

DANIEL RAY WEDSTED

PLAINTIFF

v.

CASE NO. 4:17-CV-00263 BSM

**GERALD LOWERILY, Inmate,
FAULKNER CO. DETENTION CENTER, et al.**

DEFENDANTS

ORDER

The recommended partial disposition [Doc. No. 10] submitted by United States Magistrate Judge J. Thomas Ray and plaintiff Daniel Wedsted's objections [Doc. No. 11] thereto have been received. After *de novo* review, the recommended partial disposition is adopted in its entirety. Accordingly, Wedsted's claim against Gerald Lowerily is dismissed without prejudice. His failure to protect claim is dismissed without prejudice. His Prison Rape Elimination Act claim is dismissed with prejudice. His inhumane conditions claim is dismissed without prejudice. His inadequate medical care claim against defendant Tonya Parker is dismissed without prejudice. It is certified that an *in forma pauperis* appeal would not be taken in good faith.

Wedsted will be permitted to proceed with his inadequate medical care claim against defendant Brett Carpenter. Carpenter is directed to file a response to Wedsted's motion for a preliminary injunction [Doc. No. 9] at the time he files his answer or other responsive pleading. The clerk is directed to prepare a summons for Carpenter, and the U.S. Marshal is directed to serve Carpenter with the summons, complaint, amended complaint, and motion

for preliminary injunction without prepayment of fees and costs or security therefore. If Carpenter is no longer a Saline County employee, the individual responding to service must file a sealed statement containing Carpenter's last known private mailing address.

IT IS SO ORDERED this 3rd day of July 2017.

Brian S. Miller

UNITED STATES DISTRICT JUDGE