

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

**SAM EDWARD THURMOND, SR.**  
**ADC #127149**

**PLAINTIFF**

**v.**

**CASE NO. 4:17CV00314 JM**

**DELLWYN ELKINS, et al.**

**DEFENDANTS**

**ORDER**

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome T. Kearney. After a careful review of Mr. Thurmond's timely objections, and upon a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that

1. Plaintiff's Motion for Summary Judgment (Doc. No. 53) is DENIED without prejudice.
2. Defendants' Motion for Summary Judgment (Doc. No. 58) is HELD IN ABEYANCE until after the close of discovery.

IT IS SO ORDERED this 4th day of April, 2018.

  
UNITED STATES DISTRICT JUDGE