

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

**BRIAN HUGHES  
ADC #119986**

**PLAINTIFF**

**v.**

**CASE NO. 4:17-CV-00392 BSM**

**DOC HOLIDAY, et al.**

**DEFENDANTS**

**ORDER**

Having conducted a *de nova* review of the proposed findings and recommended disposition (prd) [Doc. No. 5], plaintiff's objections to defendants' answer to the complaint [Doc. Nos. 17, 18] (which are being considered as objections to the prd), and the entire record, the prd is adopted. Although the prd is correct that plaintiff's "statement of claim" does not mention defendant Paxton, *see* Doc. No. 5 at 2–3, it does specifically mention defendant Jody Huckabee. *See* Complaint, Doc. No. 2, at 6. Nonetheless, plaintiff does not state a claim of wrongdoing against Huckabee, but merely states that Huckabee informed plaintiff that Huckabee could not serve kosher meals unless he received orders from the chaplain or doctor. *Id.* Huckabee and Paxton are therefore dismissed without prejudice, and it is certified that an *in forma pauperis* appeal would not be taken in good faith.

IT IS SO ORDERED this 9th day of August 2017.



UNITED STATES DISTRICT JUDGE