

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

ANTHONY HAYES
ADC #147539

PLAINTIFF

v.

No. 4:18-cv-291-DPM-JJV

MITCHELL JOHNSON, JR., Captain,
Hawkins Unit for Women; MICHAEL
M. LOWE, Major, Wrightsville Unit;
TERRIE L. BANISTER, Disciplinary
Hearing Judge, ADC; ITENA JACKSON,
SATP Counselor, Wrightsville Unit;
CLAUDIA HARRIS, Deputy Warden,
Wrightsville Unit; RANDY WATSON,
Warden, Wrightsville Unit; and DEXTER
PAYNE, Deputy Director, ADC

DEFENDANTS

ORDER

On *de novo* review, the Court adopts the partial recommendation, *No* 31, and overrules Hayes's partial objections, *No* 33–34. FED. R. CIV. P. 72(b)(3). Motion for partial summary judgment, *No* 23, granted in part and denied in part. Hayes's claims against Payne—and his retaliation claims against Johnson, Lowe, Banister, and Watson—are dismissed without prejudice for failure to exhaust.

So Ordered.

DP Marshall Jr.
D.P. Marshall Jr.
United States District Judge

2 November 2018