

**THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**DAVID LYNN MCEUEN, #102696**

**PLAINTIFF**

**v.**

**Case No. 4:18-cv-00680-KGB**

**LOLITA JOHNSON, Deputy, Pulaski County Jail, et al.**

**DEFENDANTS**

**ORDER**

Before the Court are the Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome T. Kearney on October 22, 2018 (“First Recommendation”) (Dkt. No 8). In his First Recommendation, Judge Kearney recommends that plaintiff David Lynn McEuen’s claims against defendants Ware, Briggs, Holiday, and Long be dismissed without prejudice. Also before the Court are the Proposed Findings and Recommendations submitted by Judge Kearney on September 24, 2019 (“Second Recommendation”) (Dkt. No. 44). In his Second Recommendation, Judge Kearney recommends that defendants Lolita Johnson, Kelley Paxson,<sup>1</sup> and Linda Daniels’ motion for summary judgment be granted and that Mr. McEuen’s claims against these defendants be dismissed with prejudice.

No objections have been filed to either the First Recommendation or the Second Recommendation, and the deadlines for filing objections have since passed. After careful consideration, the Court finds no reason to alter or reject Judge Kearney’s recommendations.

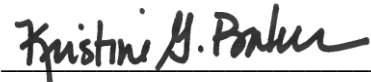
Therefore, the Court adopts the October 22, 2018, Proposed Findings and Recommendations and the September 24, 2019, Proposed Findings and Recommendations in their entirety as this Court’s findings of fact and conclusions of law (Dkt. Nos. 8, 44). The Court

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<sup>1</sup> Defendant Paxson’s name was misspelled as “Paxton” in Mr. McEuen’s amended complaint and on the docket sheet for this case.

dismisses without prejudice Mr. McEuen's claims against defendants Ware, Briggs, Holiday, and Long. The Court also grants defendants Johnson, Paxson, and Daniels' motion for summary judgment (Dkt. No. 38). The Court dismisses with prejudice Mr. McEuen's claims against defendants Johnson, Paxson, and Daniels.

It is so ordered this 22nd day of January, 2020.



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Kristine G. Baker  
United States District Judge