

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

**JOE BERNARD NOWELL, JR.**

**PLAINTIFF**

v.

**Case No. 4:19-cv-00444 BSM**

**GARY STEWART, Doctor,  
Faulkner County Detention Center, et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommendations (“RD”) from United States Magistrate Judge J. Thomas Ray [Doc. No. 14] has been received. After carefully reviewing the record, the RD is adopted. Nowell may proceed with his section 1983 inadequate medical care and state law malpractice claims against Dr. Gary Stewart, nurse Monte Munyan, and Corporal L. Phillips. Nowell’s complaint, addendum, and amended complaint [Doc. Nos. 2, 3, 9] shall be served on those defendants.

Nowell’s claims against Faulkner County Detention Center are dismissed with prejudice. Nowell’s claim against Phillips, regarding the March 25, 2019 slip and fall is dismissed without prejudice. An *in forma pauperis* appeal would not be taken in good faith.

IT IS SO ORDERED this 20th day of July, 2020.

  
UNITED STATES DISTRICT JUDGE