

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

**JOHN W. MAGNESS
ADC #150340**

PLAINTIFF

v.

Case No. 4:19-cv-00674 BSM

WENDY KELLEY, et al.

DEFENDANTS

ORDER

The proposed findings and recommendations (“RD”) from United States Magistrate Judge Jerome T. Kearney [Doc. No. 13] has been received. After *de novo* review of the record, the RD is adopted in part. Magness’s claims against the following defendants are dismissed without prejudice: Wendy Kelley, Nurzuhal Faust, DeAngelo Earl, A. Jackson, Christopher Johnson, M. Hall, Vickie Orr, Jason Gray, Justin Peter, Lt. Carl, Lt. Clark, Mario Trobradovic, Justine Minor, Raymond Naylor, Thomas Rowland, R. K. Wilhite, Cpl. King, Cpl. Merritt, Cpl. Duncan, Cpl. Alexander, and James Ashcraft.

Magness’s claim against defendant Lt. Malusian is also dismissed without prejudice because Magness’s second amended complaint [Doc. No. 12] limits his allegations to those of failure to investigate against defendants Griffin, Payne, and Jason Kelley.

IT IS SO ORDERED this 3rd day of January 2020.


UNITED STATES DISTRICT JUDGE