

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

**ROBERT MARTIN  
ADC #164621**

**PLAINTIFF**

v.

**Case No. 4:20-cv-01361-LPR-JJV**

**FLUD, Administrator,  
Lonoke County Detention Center; et al.**

**DEFENDANTS**

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. (Doc. 36). No objections have been filed. After a careful and *de novo* review of the Proposed Findings and Recommended Disposition and of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendant Tounzen's Motion for Partial Summary Judgment (Doc. 22) is GRANTED.
2. Mr. Martin's claims against Defendant Tounzen are DISMISSED without prejudice for failure to exhaust administrative remedies.
3. Mr. Martin's Motion to Dismiss Party is DENIED as moot. (Doc. 37).
4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

DATED this 26th day of April 2021.

  
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LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE