

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

**GARLAND VANDERBILT,  
ADC # 137333**

**PLAINTIFF**

**VS.**

**4:22-CV-01108-BRW-JTK**

**ARKANSAS DEPARTMENT OF  
CORRECTIONS, et al.**

**DEFENDANTS**

**ORDER**

I have reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerome T. Kearney. No objections have been filed. After careful consideration, 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 Defendant Tate's Motion to Dismiss (Doc. No. 15) is DENIED as to Plaintiff's retaliation claim and GRANTED as to Plaintiff's request for compensatory damages.

DATED this 22nd day of May, 2023.

**BILLY ROY WILSON**  
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UNITED STATES DISTRICT JUDGE