

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

**JOSEPH WILLIAMS  
#26763-009**

**PLAINTIFF**

**v.**

**No. 4:23-CV-00513-LPR-BBM**

**TURN KEY HEALTH, et al.**

**DEFENDANTS**

**ORDER**

The Court has reviewed the Partial Recommended Disposition (PRD) submitted by United States Magistrate Judge J. Thomas Ray (Doc. 10). No objections have been filed, and the time to do so has expired. After a *de novo* review of the PRD and careful consideration of the case record, the Court hereby approves and adopts the PRD in its entirety as this Court's findings and conclusions in all respects.<sup>1</sup>

Accordingly, Plaintiff may proceed with his Fourteenth Amendment deliberate indifference to serious medical needs claim against Defendant Clark in her personal capacity. Plaintiff's official capacity claims against Defendant Clark and his claims against Defendant Turn Key Health are DISMISSED without prejudice for failure to state a claim on which relief may be granted. The Clerk is directed to terminate Turn Key Health as a party to this action. 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.

IT IS SO ORDERED this 25th day of April 2024.



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LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> The Court is not certain it agrees with Judge Ray that *Spann v. Roper*, 453 F.3d 1007 (8th Cir. 2006) applies here because the allegations don't make clear that a *large* dose of pills were given to the Plaintiff. But it's a close enough call to let the Complaint pass screening and deal with the issue either on a motion to dismiss or at summary judgment.