

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

**JIM DAYBERRY**  
ADC #653942

**PLAINTIFF**

v.

**CASE NO. 4:23-cv-01032-BSM-JJV**

**BRANDON LONG,**  
Sheriff, Stone County, *et al.*

**DEFENDANTS**

**ORDER**

Having reviewed the record *de novo*, Magistrate Judge Joe J. Volpe's partial recommended disposition [Doc. No. 41] is adopted as to his recommendation on summary judgment. Defendants' motion for summary judgment [Doc. No. 34] is granted on the official capacity claim and denied as to the retaliatory transfer claim. The official capacity claim is dismissed with prejudice.

IT IS SO ORDERED this 22nd day of November, 2024.

  
UNITED STATES DISTRICT JUDGE