

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

**JIM DAYBERRY
ADC #653942**

PLAINTIFF

v.

No. 4:23-cv-01035-LPR

BRANDON LONG, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommended Disposition (RD) submitted by United States Magistrate Judge Jerome T. Kearney (Doc. 41). No objections have been filed, and the time to do so has expired. After a *de novo* review of the RD, along with careful consideration of the entire case record, the Court hereby approves and adopts the RD in its entirety as this Court's findings and conclusions in all respects.

Accordingly, the Defendants' Motion for Summary Judgment (Doc. 29) is GRANTED. Plaintiff's claims are DISMISSED without prejudice based on his failure to fully exhaust his administrative remedies. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order or the accompanying Judgment would not be taken in good faith.

IT IS SO ORDERED this 29th day of January 2025.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE