

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

JOSEPH WENZEL,
ADC #95265

PLAINTIFF

5:07-cv-00042-JMM-JJV

LARRY NORRIS, Director, Arkansas
Department of Correction; *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' Motion for Summary Judgment (Doc. No. 74) is GRANTED.
2. Plaintiff's Complaint against Defendants is DISMISSED without prejudice for failure to exhaust his administrative remedies.

An appropriate Judgment shall accompany this Order.

DATED this 7 day of March, 2011.



JAMES M. MOODY
UNITED STATES DISTRICT JUDGE