

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

**CURTIS PITMAN  
ADC # 119869**

**PLAINTIFF**

**V.**

**5:08CV00198 BSM/HDY**

**EDWARD ENGSTROM, Doctor, Maximum Security Unit, Arkansas Department of Correction; FRAZIER, Lt., Maximum Security Unit, Arkansas Department of Correction; BAKER, Captain, Maximum Security Unit, Arkansas Department of Correction; THOMAS, Sgt., Maximum Security Unit, Arkansas Department of Correction; and A. BURTON, CO-II, Maximum Security Unit, Arkansas Department of Correction; Aquita Jones, Maximum Security Unit, Arkansas Department of Correction**

**DEFENDANTS**

**ORDER**

The court has reviewed the proposed findings and recommended partial disposition submitted by United States Magistrate Judge H. David Young and plaintiff's objections. After carefully considering plaintiff's objections and making a *de novo* review of the record in this case, the court concludes that the proposed findings and recommended partial 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. Plaintiff Smith's Motion for Reconsideration (Doc. No. 32) is DENIED; and
2. Plaintiff's Smith's Motion to Appoint Counsel (Doc. No. 31) and Motion for an

Emergency Appointment of a Mental Health Expert (Doc. No. 33) are DENIED.

3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith.

DATED this 9th day of December, 2008.

  
UNITED STATES DISTRICT JUDGE