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

ERIC WINSTON

PLAINTIFF

ADC #105483

V.

NO

NO: 5:08CV00230 BSM/HDY

MARSHALL GONDER et al.

DEFENDANTS

ORDER

The court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the court concludes that the Proposed Findings and Partial 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. Plaintiff is allowed to proceed to a jury trial only on his claims of excessive

force, failure to protect, and delay of medical care.

2. All other claims raised in plaintiff's complaint are DISMISSED WITH

PREJUDICE.

3. Plaintiff's pending motion to compel (docket entry #68) is DENIED AS

MOOT.

DATED this 1st day of June, 2009.

UNITED STATES DISTRICT JUDGE