

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

NAPOLEON POLLARD

PLAINTIFF

v.

No. 5:08-cv-289-DPM

**JOSEPH K. BUCHMAN and
ROLAND ANDERSON**

DEFENDANTS

ORDER

The Court has considered Magistrate Judge Jerome T. Kearney's Proposed Findings and Recommendations, *Document No. 146*, and Napoleon Pollard's objections, *Document No. 148*. Having conducted a *de novo* review, the Court adopts Judge Kearney's proposal as its own. Pollard's lack of expert testimony dooms the malpractice claim; Pollard's medical records show lots of physical therapy rather than deliberate indifference; and there simply is no evidence that Anderson personally denied needed therapy. Buchman's and Anderson's motions for summary judgment, *Document Nos. 122 & 131*, are granted. Pollard's complaint and supplemental complaint, *Document Nos. 2 & 20-2*, are dismissed with prejudice.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

12 October 2011