

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

JOHN CALDWELL
ADC #90188

PLAINTIFF

V.

5:09CV00129 JMM/JTR

GRANT HARRIS, Warden,
Varner Super Max Unit; and
CORRECTIONAL MEDICAL SERVICES

DEFENDANTS

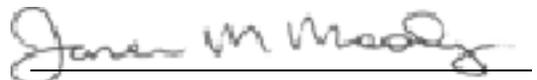
ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, 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. Defendant Harris's Motion to Dismiss (docket entry #14) is DENIED.
2. Pursuant to Fed. R. Civ. P. 12(a)(4), Defendant Harris shall file an Answer within ten days of the entry of this Order.

Dated this 14th day of September, 2009.


UNITED STATES DISTRICT JUDGE