

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

DON MERCELEANY R.
MAXWELL/G-DOFFEE
ADC #108778

PLAINTIFF

V.

NO: 5:09CV00142 BSM/HDY

ALLEN *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, 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 in this lawsuit against Defendants Jones and Johnson, on his claims of excessive force on April 28, 2008.
2. All of Plaintiff's other claims are DISMISSED WITHOUT PREJUDICE, and all other Defendants' names are removed as party Defendants.

DATED this 9th day of September, 2009.


UNITED STATES DISTRICT JUDGE