

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

CHARLES E. CUMMINS, ADC # 94179

PLAINTIFF

v.

CASE NO. 5:09CV00221 BSM/BD

LARRY NORRIS, et al

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge Beth Deere and the filed objections have been reviewed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants Larry Norris, James Banks III, John Ella Marshall, and David Hutchinson's motion for summary judgment [Doc. No. 119] is GRANTED and all claims against these defendants are DISMISSED, WITHOUT PREJUDICE.

2. Defendants Ramona A. Huff, Robert Rectenwald, M.D., and Sharon King's motion for summary judgment [Doc. No. 122] is GRANTED and all claims against defendants Huff and Rectenwald are DISMISSED, WITHOUT PREJUDICE, while all claims against defendant King are DISMISSED, WITH PREJUDICE.

3. It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis*

appeal from this order would not be taken in good faith.

Dated this 2nd day of November, 2010.



UNITED STATES DISTRICT JUDGE

IT IS SO ORDERED, this _____ day of _____, 2010.

UNITED STATES DISTRICT JUDGE