

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

**LARRY DELL BELLEW
ADC #119832**

PLAINTIFF

V. 5:09CV00341 BSM/JTR

**DR. ROLAND ANDERSON,
Correctional Medical Services, et al.**

DEFENDANTS

ORDER

The court has reviewed the proposed findings and partial recommended disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents 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.

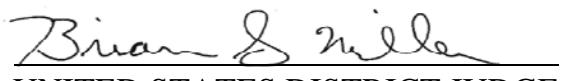
IT IS THEREFORE ORDERED that:

1. Pursuant to the screening function mandated by 28 U.S.C. § 1915A: (a) Defendant CMS is DISMISSED, WITHOUT PREJUDICE, because Plaintiff has failed to raise a valid § 1983 claim against it; and (2) Plaintiff shall PROCEED with his inadequate medical care claim against the remaining five Defendants.
2. The Court CERTIFIES, 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.
3. The clerk is directed to prepare a summons for Defendants Anderson,

Blackmon, Griffin, and Savoy, and the United States Marshal is directed to serve the summons, complaint, and this order on those four defendants through the Humphries and Lewis law firm, without prepayment of fees and costs or security therefor.¹

4. The clerk is directed to prepare a summons for Defendant Dr. Samuel Houston at St. Vincent Medical Center in Sherwood, Arkansas, and the United States Marshal is directed to serve the summons, complaint, and this order on him without prepayment of fees and costs or security therefor.

IT IS SO ORDERED this 20th day of January, 2010.


UNITED STATES DISTRICT JUDGE

¹If any of the Defendants are no longer CMS employees, the individual responding to service shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.