

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

**JIMMY DOYLE BUMGARDNER,
ADC # 103669**

PLAINTIFF

v.

CASE NO. 5:09cv00345 BSM/JJV

**LARRY NORRIS, Director, Arkansas
Department of Correction, et al.**

DEFENDANTS

ORDER

The court has reviewed the amended and substituted proposed findings and recommended partial disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, it is concluded that the amended and substituted proposed findings and recommended partial disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

- 1) Plaintiff will be allowed to proceed with his claims related to the allegedly unconstitutional strip search against defendants Whaley, Gardner, Washington, and Emswellen, as well as the unknown Doe officers who may have participated in this event;
- 2) Plaintiff's motion to amend [Doc. No. 8] is GRANTED, and he will be permitted to file, within thirty (30) days of the date of the amended and substituted proposed findings and recommended partial disposition, an amended complaint containing the information specified in section II of that order;
- 3) Plaintiff's claims of violation of prison policy, deprivation of personal

property, loss of prison job and housing assignment, and loss of contact visitation privileges are DISMISSED for failure to state a claim upon which relief may be granted;

4) Plaintiff's motion for injunctive relief [Doc. No. 3] is DENIED;

5) Service is not appropriate at this time, but will be addressed in a separate order following plaintiff's amendment to his remaining claims.

DATED this 28th day of April, 2010.


UNITED STATES DISTRICT JUDGE