

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

**LEVI S. MCCUITION  
ADC #139367**

**PLAINTIFF**

**V.**

**CASE NO.: 5:10CV00107 SWW/BD**

**RODRICK E. MALMAY, et al.**

**DEFENDANTS**

**ORDER**

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the recommendation, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Accordingly, Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**,  
this 21<sup>st</sup> day of May, 2010.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE