

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

EDGAR L. GUINTHER  
ADC #100017

PLAINTIFF

V.

5:10CV00139 JMM/JTR

JAMES BANKS,  
Former Warden, Tucker Unit, et al.

DEFENDANTS

**ORDER**

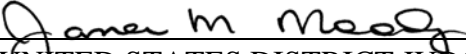
The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to File a Fourth Amended Complaint (docket entry #57) is GRANTED.
2. Defendants Larry Norris and Randall Williams are VOLUNTARILY DISMISSED, WITHOUT PREJUDICE, from this action.
3. The Clerk shall file a copy of Plaintiff's Motion for Leave to File a Fourth Amended Complaint (docket entry #57) as his Fourth Amended Complaint, and to add Wendy Kelley, the ADC Deputy Director of Health and Correctional Programs, as a Defendant in this action.
4. The Clerk is directed to prepare a summons for Defendant Kelley, and the U.S. Marshal is directed to serve the summons, Complaint, Amended Complaint, Second Amended

Complaint, and Third Amended Complaint on her, through the ADC Compliance Division, without prepayment of fees and costs or security therefor.

Dated this 29th day of November, 2010.

  
UNITED STATES DISTRICT JUDGE