

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

CHARLES A. WINSTON  
ADC #84733

PLAINTIFF

v.

No. 5:10CV00180 JLH-JJV

RORY GRIFFIN, Health Service Administrator,  
CMS, Cummins Unit, Arkansas Department  
of Correction; *et al.*

DEFENDANTS

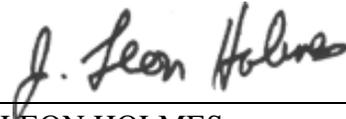
**ORDER**

United States Magistrate Judge Joe J. Volpe has submitted Proposed Findings and Recommended Disposition in which he recommends that the Court enter summary judgment in favor of the remaining defendants, Rory Griffin, Crystal Woods, Ella Taylor, and Dr. Roland Anderson. Charles A. Winston has objected to the proposed findings and recommendations in part. In his objections, he states that he is dropping his claims against Woods and Griffin. Document #187 at 17. He objects, however, to the recommendation that summary judgment be entered in favor of Taylor and Anderson. He also requests the Court to reconsider earlier rulings dismissing other defendants. Upon *de novo* review, the Court adopts the magistrate judge's Proposed Findings and Recommended Disposition in their entirety as to Dr. Anderson and in part as to Nurse Taylor. Taylor testified by affidavit that she was a registered nurse practitioner employed by CMS part-time during the relevant period. She was not responsible for conducting physical exams or assigning medical classifications. During the times that she saw Winston, his medical classification had been assigned by a physician. Based on those undisputed facts, Taylor was not deliberately indifferent to Winston's serious medical needs.

For the reasons stated, the defendants' motions for summary judgment are GRANTED.

Documents #168 and #171. Charles A. Winston's complaint is dismissed with prejudice.

IT IS SO ORDERED this 25th day of July, 2013.

A handwritten signature in black ink that reads "J. Leon Holmes". The signature is written in a cursive style with a horizontal line underneath it.

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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE