

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

EDDIE E. BRILEY, JR.,  
ADC #116921

PLAINTIFF

v.

5:10-cv-00182-JMM-JTK

MAJOR TYLER, et al.

DEFENDANTS

**ORDER**

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion to Amend (Doc. No. 29) is DENIED.
2. Defendants' Motion for Summary Judgment (Doc. No 26) is GRANTED in part, with respect to Plaintiff's damages claims against Defendants in their official capacities.
3. Defendants' Motion for Summary Judgment is GRANTED in part, with respect to Plaintiff's failure to protect allegations against Defendants Tyler and Adams.
4. Defendants' Motion for Summary Judgment is GRANTED in part, with respect to Plaintiff's claim for denial of access to the courts.
5. Defendants' Motion for Summary Judgment is DENIED in part, with respect to Plaintiff's excessive force allegations against Defendants Bunting and Johnson.

IT IS SO ORDERED this 29 day of September, 2011.



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JAMES M. MOODY  
UNITED STATES DISTRICT JUDGE