

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

GREGORY DAVIS
ADC #97816

PLAINTIFF

V.

5:10CV00271 SWW/JTR

RAY HOBBS, Director,
Arkansas Department of Correction

DEFENDANT

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. The Clerk is directed to add as Defendants, “John Does, five unknown officers at the Tucker Maximum Security Unit.”

2. Pursuant to the screening function mandated by § 1915A: (a) Defendant Hobbs is DISMISSED, WITHOUT PREJUDICE, because Plaintiff has failed to state a claim against him; and (b) Plaintiff shall PROCEED with his excessive force and inadequate medical care claims against the John Doe Defendants.

3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

4. Plaintiff shall file, **within 120 days of the entry of this Order**, a Motion for Service

providing the names of the John Doe Defendants.

5. Plaintiff is advised that if he fails to timely and properly do so, the John Doe Defendants will be dismissed, without prejudice, pursuant to Fed. R. Civ. P. 4(m).

Dated this 22nd day of November, 2010.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE