

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

ANDREW DOMINIC ROBINSON
ADC # 652013

PLAINTIFF

v. No. 5:10-cv-322-DPM-JJV

RODERICK JOHNSON, Lt., Varner
Super Max, ADC; ANTWON EMSWELLER,
Lt., Varner Super Max, ADC; CHRISTOPHER
SHERRILL, Sgt., Varner Super Max,
ADC; MALCOLM CROMPTON, Sgt.,
Varner Super Max, ADC; BRIAN
PERKINS, Sgt., Varner Super Max,
ADC; CURTIS MEINZER, Warden,
Varner Super Max, ADC; J. WILLIAMS,
CO-II, Varner Super Max, ADC; JIMMY
BANKS, Warden, Varner Super Max,
ADC; KRISTIE BAILEY, Sgt., Varner
Super Max, ADC; TONDA SPENCER,
Sgt., Varner Super Max, ADC; FELICIA
PIGGEE, Sgt., Varner Super Max, ADC;
GILLIAM, Lt., Varner Super Max, ADC;
BOBBY JONES, Sgt., Varner Unit, ADC;
MARTHA HEWING, Sgt., Varner Super
Max, ADC; GORDON, Sgt., Varner Super
Max, ADC; MICHELLE RUCCER, Sgt.,
Varner Super Max, ADC; and MERTHA
JASPER, Sgt., Varner Super Max, ADC

DEFENDANTS

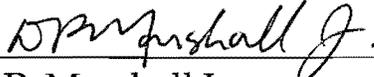
ORDER

No one has objected to Magistrate Judge Volpe's proposed findings and recommendations. *Document No. 12*. The Court has therefore reviewed the

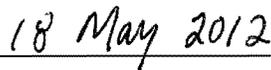
proposal for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition), and for legal error. Finding no clear errors of fact or legal error, the Court adopts the proposed findings and recommendations in their entirety. *Document No. 12.*

The Court dismisses Robinson's claims for monetary damages against any defendant in his or her official capacity. The Court also dismisses Robinson's retaliation claim for his failure to state a claim on which relief can be granted. The Court also dismisses Robinson's claims against Jimmy Banks, Curtis Meinzer, Malcolm Crompton, J. Williams, Gilliam, Bobby Jones, Martha Hewing, and Gordon because Robinson has failed to state a claim against any of them on which relief can be granted.

So Ordered.



D.P. Marshall Jr.
United States District Judge



18 May 2012