

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

DANIEL RAY BROWN  
ADC #88140

PLAINTIFF

v.

No. 5:10-cv-326-DPM-BD

RAY HOBBS; ROGER CAMERON;  
RON CHISM; OBADIAH DAVIS;  
SANTRICE SHAVERS; DAVID  
EBERHARD; and MARCIE JOHNSON

DEFENDANTS

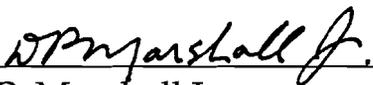
ORDER

The Court has considered Magistrate Judge Beth Deere's Partial Recommended Disposition, *Document No. 44*. No one has objected. Having 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, the Court adopts the proposal in its entirety.

The Defendants' motion for summary judgment, *Document No. 33*, is granted in part and denied in part. Brown's claims against Defendants

Hobbs, Cameron, Davis, Shavers, and Eberhard are dismissed without prejudice based on no exhaustion. Brown may proceed on his deliberate-indifference claims against Chism and Johnson, but only in their individual capacities.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

17 October 2011