

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

MARK EDWARD VANZANT
ADC #137057

PLAINTIFF

v.

No. 5:10CV00365 JLH/JTR

J. D. OWEN, Inmate, Cummins Unit, et al.

DEFENDANTS

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.

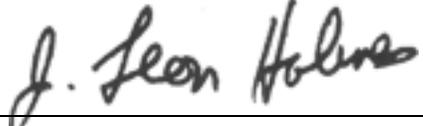
IT IS THEREFORE ORDERED that:

1. Plaintiff may proceed with his failure to protect claim against Defendants Starks, Rana, Tate, Outlaw, and Posey, in their individual capacities only.
2. All other claims and Defendants are **DISMISSED, WITHOUT PREJUDICE.**
3. The Clerk is directed to prepare a summons for Defendants Starks, Rana, Tate, Outlaw, and Posey, and the U.S. Marshal is directed to serve the summons, Complaint, Amended Complaint, and this Order on them through the ADC Compliance Division, without prepayment of fees and costs or security therefor.¹

¹ If any of the Defendants are no longer ADC employees, the ADC Compliance Office shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.

4. 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.

DATED this 28th day of March, 2011.



UNITED STATES DISTRICT JUDGE