

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

THEODORE A. ANDERSON,  
ADC #138956

PLAINTIFF

V.

5:11CV00100 SWW/JTR

CONNIE HUBBARD, LPN,  
Correctional Medical Services, Inc., et al.

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, 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. Separate Defendant Lytle's Motion to Dismiss (docket entry #40) is GRANTED, and he is DISMISSED, WITH PREJUDICE.
2. Plaintiff's request to file a Second Amended Complaint (which was contained in his Response to the Motion to Dismiss, docket entry #49) is DENIED.
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in*

*forma pauperis* appeal from any Order adopting this Recommended Partial Disposition would not be taken in good faith.

4. Plaintiff's motion for an extension of time to file objections (docket entry # 55) is moot, as the Court has considered the objections filed.

Dated this 2<sup>nd</sup> day of December, 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE