

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

**JEFFREY SCOTT RATCHFORD,  
ADC # 127515; CHARLES E. BUTLER,  
ADC # 110397; ROBERT HEFFERNAN,  
ADC # 76641; and DELLEMOND  
CUNNINGHAM, ADC # 104415**

**PLAINTIFFS**

**v.**

**No. 5:11-cv-180-DPM-JTK**

**GLADYS M. EVANS, Program  
Specialist, Varner Unit, ADC;  
BARBARA SMALLWOOD, Business  
Manager, Varner Unit, ADC; JAMES  
BANKS, Warden, Varner Unit, ADC;  
originally sued as J Banks; and RAY  
HOBBS, Director, Arkansas Department  
of Correction**

**DEFENDANTS**


**ORDER**

The Court has considered Magistrate Judge Kearney's proposed findings and recommendations, *Document No. 155*, to which Ratchford and the other plaintiffs objected, *Document No. 156*. Upon *de novo* review of the record, including the pleadings, previous motions, orders, and hearing transcripts, the Court adopts Judge Kearney's well-crafted proposal as its own. FED. R. CIV. P. 72(b)(3). Plaintiffs' objections run aground on the sworn testimony from all those involved, which establishes what happened. And on

the undisputed material facts, plaintiffs' claims fail as a matter of law.

Defendants' motion for summary judgment, *Document No. 133*, granted. Plaintiffs' complaint against Defendants is dismissed with prejudice. The motion for joinder, *Document No. 153*, is denied as moot.

So Ordered.



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D.P. Marshall Jr.  
United States District Judge

28 September 2012