

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

JAMES KEN ANDERSON
ADC #99355

PLAINTIFF

v.

NO. 5:11CV00258 JLH/BD

RAY HOBBS, *et al.*

DEFENDANTS

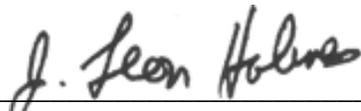
ORDER

The Court has received a Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere. After careful review of the Recommendation, Mr. Anderson’s the timely objections, as well as a *de novo* review of the record, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.¹

The motions for summary judgment (docket entries #253, #257) are GRANTED. Anderson’s claims arising prior to September 30, 2008, are DISMISSED, with prejudice. Anderson’s claims against defendant Ware are DISMISSED, without prejudice. His deliberate indifference and ADA claims against defendants Anderson, Lytle, and York are DISMISSED, with prejudice. His deliberate indifference, ADA, and conspiracy claims against defendants Kelley, Hobbs, Naylor, May, Harris, Magness, and Guntharp are DISMISSED, with prejudice. His retaliation claim against defendants Kelley, Hobbs, Naylor, May, Harris, Magness, and Guntharp is DISMISSED, without prejudice. Finally, Anderson’s motion for sanctions (docket entry #263) and motion for order (docket entry #272) are DENIED, as moot.

¹ The Recommendation says that Anderson filed his complaint on September 30, 2011, so all claims that accrued before September 30, 2008, are barred. Pursuant to the prison mailbox rule, Anderson’s complaint was deemed filed when he placed it in the prison mailbox system, which apparently was September 27, 2011. *See* Document #1. That three-day difference does not affect the outcome.

IT IS SO ORDERED this 20th day of February, 2013.



UNITED STATES DISTRICT JUDGE