

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

ROLAND M. MURRAY
ADC # 90500

PLAINTIFF

v.

No. 5:11-cv-333-DPM-HDY

RAY HOBBS, *et al.*

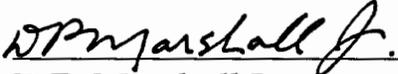
DEFENDANTS

ORDER

The Court has considered Magistrate Judge H. David Young's Proposed Findings and Recommendations, *Document No. 39*. No one has objected. Having reviewed for clear errors of fact on the face of the record, FED. R. CIV. P. 72(b) (Advisory Committee notes to the 1983 addition), and for legal error, the Court adopts the proposal as its own.

The Defendants' motion for summary judgment, *Document No. 28*, is granted. Murray's complaint as to Parker and Sell is dismissed without prejudice, as Murray concedes, for no exhaustion. Murray's complaint as to Hobbs and Kelly is dismissed with prejudice. All pending motions are denied as moot. The Court certifies that an *in forma pauperis* appeal from this Order and the accompanying Judgment would be frivolous and not in good faith.

So Ordered.



D.P. Marshall Jr.
United States District Judge

5 October 2012