

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

**KAREEM HOLLOWAY
ADC # 111757**

PLAINTIFF

v.

No. 5:12-cv-128-DPM-BD

**LARRY NORRIS; RAY HOBBS; LARRY
MAY; GREG HARMON; DANNY BURL;
TODD BALL; STEVE OUTLAW; JEREMY
ANDREWS; MOSES JACKSON; P. GREEN;
VICKEY WESTBROOK; and A. MCKINNEY**


DEFENDANTS

ORDER

Holloway has objected to Magistrate Judge Deere's partial recommended disposition. *Document No. 29*. Having performed a *de novo* review, the Court adopts in part the partial recommended disposition, *Document No. 14*, and remands in part for further consideration of one claim. Holloway's claims against Norris, Hobbs, May, Burl, and Andrews are dismissed without prejudice. And Holloway's claim that Harmon failed to respond in a timely fashion to his disciplinary appeals is dismissed with prejudice. But the Court is uneasy about dismissing Holloway's discrimination claim at the screening stage, particularly in light of his objections and supporting affidavits – papers Judge Deere never saw. The Court expresses no opinion on the merits of this claim. It does, however,

deserve further consideration. The Court therefore requests Judge Deere to revisit Holloway's discrimination claim, including whether he should be allowed to amend his complaint.

So Ordered.



D.P. Marshall Jr.
United States District Judge

29 June 2012