

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

THELMA WILLIAMS

PLAINTIFF

v.

No. 5:12-cv-238-DPM-JTK

**EDWARD MARCHBANKS, Sergeant,
Maximum Security Unit, ADC**

DEFENDANT

ORDER

The Court has considered Magistrate Judge Kearney's Proposed Findings and Recommendations, *No. 64*, and Williams's objections, *No. 65 & No. 66*. After reviewing *de novo*, the Court adopts the proposal in full. FED. R. CIV. P. 72(b)(3). Motion for summary judgment, *No. 52*, granted for failure to exhaust. The Court declines to continue the matter until October 2014 as requested. *No. 65 at 2*. Williams may refile his claims against Marchbanks if Williams is able to locate proof of exhaustion at his home after he is released next fall. The claims against Marchbanks are dismissed without prejudice. Williams's motions, *No. 63, 67, & 68*, are denied as moot. The Court directs the Clerk to re-file pages 3–24 of *No. 68* in the appropriate case: *Williams v. Dollar General Discount*, 4:13-cv-561-BRW.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

14 January 2014