

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

**EVERY DONELLE RICHARDSON
ADC #139311**

PLAINTIFF

v.

CASE NO. 5:12CV00250 BSM/JTR

**WENDY KELLEY, Deputy Director,
Arkansas Department of Correction et al.**

DEFENDANTS

ORDER

The proposed findings and recommended partial disposition submitted by United States Magistrate Judge J. Thomas Ray [Doc. No. 6] have been reviewed. No objections have been filed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended partial disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff Every Donelle Richardson may proceed with his inadequate medical care claims against defendants Wendy Kelley, Jennifer McBride, Connie Hubbard and Cynthia Newton and that service be ordered on those four defendants.
2. Richardson's due process claim against Kelley and McBride is dismissed, without prejudice, for failure to state a claim upon which relief may be granted.
3. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal would not be taken in good faith.

Dated this 30th day of November 2012.

Brian S. Miller

UNITED STATES DISTRICT JUDGE