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

BYRON L. WALLACE, ADC #107098

PLAINTIFF

DEFENDANTS

## 5:13CV00155-SWW-JTK

WENDY KELLEY, et al.

## <u>ORDER</u>

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a <u>de novo</u> review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Defendants' Motion for Summary Judgment (Doc. No. 59) is GRANTED.

2. Plaintiff's Motion for Summary Judgment (Doc. No. 63) is DENIED.

3, Plaintiff's Complaint against Defendant Warren is DISMISSED without

prejudice, for failure to exhaust administrative remedies.

4. Plaintiff's Complaint against Defendants Bland and Moore is DISMISSED with prejudice.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 7<sup>th</sup> day of May, 2014.

<u>/s/Susan Webber Wright</u> UNITED STATES DISTRICT JUDGE