

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

**LEVESTER GILLARD, SR.  
ADC #92839**

**PLAINTIFF**

**V.**

**CASE NO. 5:14-CV-170 JM/BD**

**CONNIE WILKERSON, et al.**


**DEFENDANTS**

**ORDER**

The Court has received a Partial Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. After careful review of the Recommendation and the timely objections, as well as a *de novo* review of the record, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

Mr. Gillard’s motion for summary judgment (docket entry #76) is DENIED. The Medical Defendants’ motion for partial summary judgment (#92) is GRANTED. Mr. Gillard’s claims against Defendant Quinones are DISMISSED, without prejudice, based on his failure to exhaust his administrative remedies. His claims against Defendant Wenoka Kelly are limited to her alleged failure to provide Mr. Gillard an updraft treatment on December 9, 2013.

IT IS SO ORDERED this 10<sup>th</sup> day of June, 2015.

  
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UNITED STATES DISTRICT JUDGE