

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

BRIAN SCOTT SCHWARM  
ADC #154761

PLAINTIFF

V.

NO: 5:14CV00276 JM

CONNIE HUBBARD *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerry W. Cavaneau, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by Defendants Connie Hubbard and William Kirk (docket entry #64) is GRANTED, and Plaintiff's complaint is DISMISSED.
2. Plaintiff's complaint is DISMISSED WITH PREJUDICE with respect to his claims against Hubbard and Kirk.
3. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE in all other respects.
4. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 15th day of April, 2015.

  
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UNITED STATES DISTRICT JUDGE