

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

JOHNNY TARKINGTON,
ADC # 85550

PLAINTIFF

v.

5:14CV00322-JM-JJV

SONYA PEPPERS DAVIS, Doctor, C.C.S.,
Tucker Max Prison Infirmary; *et al.*

DEFENDANTS

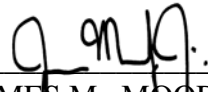
ORDER

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Partial 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. Defendants Shock, Carswell, and Hoffman are DISMISSED without prejudice;
2. Plaintiff is allowed to proceed only with his deliberate indifference claim against Defendant Peppers-Davis;
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

DATED this 18th day of September, 2014.



JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE