

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

DON COOK, ADC # 135485

PLAINTIFF

v.

CASE NO: 5:14CV00402 BSM

**MOORE, Correctional Officer,
Varner Unit et al.**

DEFENDANTS

ORDER

The proposed findings and partial recommended disposition (“PRD”) submitted by United States Magistrate Judge Joe J. Volpe and plaintiff’s objections thereto have been reviewed. Plaintiff has also now retained counsel and filed an unopposed motion for leave to file a second amended complaint. After careful consideration of all the documents in the record, it is concluded that the PRD should be approved in part and rejected in part. The PRD is rejected as to the dismissal of defendants Kennie Bolden, Jeremy Andrew, Lasandra Malone, Moses Jackson, and Sharron Williams. The remaining portion of the PRD is adopted in its entirety.

IT IS THEREFORE ORDERED that:

1 Defendants Keith Burnett, Malcolm Crompton, A. Thomas, Iko, Peyton, Gray, M. Culclager, D. Lewis, Stephens, Shirley Hudson, F. Washington, R. Hutcheson, G. Lay, W. Kelly, Grant Harris, Ray Hobbs, and Brown are dismissed without prejudice.

2 Plaintiff’s motion to file a second amended complaint to clarify specific claims against each remaining defendant [Doc. No. 24] is granted.

3 It is certified that an *in forma pauperis* appeal from this order would not be

taken in good faith.

IT IS SO ORDERED this 22nd day of December 2014.


UNITED STATES DISTRICT JUDGE