

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

**BILLY MACK NICHOLS, JR.
ADC #092713**

PLAINTIFF

V.

CASE NO. 5:14CV00448 BSM-JTR

**SONYA PEPPERS-DAVIS, Doctor,
Tucker Maximum Security Unit, et al.**

DEFENDANTS

ORDER

The recommended disposition submitted by United States Magistrate Judge J. Thomas Ray has been received. No objections have been filed. After careful review, the recommended disposition is approved and adopted in its entirety.

IT IS THEREFORE ORDERED that:

1. Nichols be allowed to proceed with the inadequate medical care claims raised in his first amended complaint [Doc. No. 25] against defendants Shock and Johnson, and service should be ordered on both of those defendants.
2. The inadequate medical care claims raised in the first amended complaint against defendants Griffin, Hughey, and Green-McDowell be dismissed without prejudice for failure to state a claim upon which relief may be granted.
3. Nichols's second amended complaint [Doc. No. 29] be dismissed without prejudice for failure to state a claim upon which relief may be granted.
4. Nichols's motions to amend the complaint [Doc. Nos. 24 & 30] be denied.

5. Nichols's motion for preliminary injunction [Doc. No. 14] be denied.

6. It is certified that an *in forma pauperis* appeal from this order would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 18th day of August 2015.


UNITED STATES DISTRICT JUDGE