

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

COURTNEY SMITH, ADC # 149926

PLAINTIFF

v.

No. 5:15CV00015-JLH-JJV

ANNIE RECTOR, Mental Health Counselor,
Arkansas Department of Correction; *et al.*

DEFENDANTS

ORDER

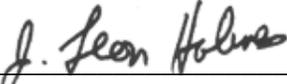
The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Defendants Annie Rector and Alexis Mead's Motion to Dismiss for Failure to State a Claim is GRANTED in part and DENIED in part. Document #28. Defendants Annie Rector and Alexis Mead are DISMISSED from this action without prejudice. Defendants Annie Rector and Alexis Mead's request for a 'with prejudice' dismissal is DENIED.

2. 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.

SO ORDERED this 27th day of May, 2015.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE