

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

**JERRY H. MCCROSKEY
ADC #72796**

PLAINTIFF

VS.

5:15CV00229 BRW/PSH

WENDY KELLEY *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Patricia S. Harris. Plaintiff responded and does not object to the recommended disposition. After careful consideration, the Court approves and adopts the Proposed Findings and Partial Recommended Disposition as this Court's findings in all respects.

Accordingly, Defendant Wendy Kelley's motions to dismiss (Doc. Nos. 7, 17), are GRANTED IN PART AND DENIED IN PART. The motions are GRANTED to the extent that Plaintiff's claim for damages against Kelley in her official capacity are DISMISSED WITH PREJUDICE. The motions are DENIED in all other respects.

IT IS SO ORDERED, this 10th day of November, 2015.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE