

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

**RODNEY WILSON MCCLANTON,  
ADC #108785**

**PLAINTIFF**

**v.**

**Case No. 5:15-cv-00230-KGB/JTK**

**ROBERT BREVING, et al.**

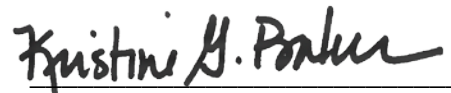
**DEFENDANTS**

**ORDER**

Before the Court are two Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. Nos. 4, 24). Magistrate Kearney first recommends dismissal of defendant Robert Breving (Dkt. No. 4). After a review of those Proposed Findings and Recommendations, and the timely objections received thereto (Dkt. No. 6), as well as a *de novo* review of the record, the Court adopts the Proposed Findings and Recommendations in their entirety. Accordingly, the Court orders that defendant Breving be dismissed without prejudice as a defendant in this case for failure to state a claim against him upon which relief may be granted.

Magistrate Kearney's second Proposed Findings and Recommendations addresses defendant Estella Bland's motion to vacate Mr. McClanton's *in forma pauperis* status (Dkt. No. 24). Ms. Bland has not filed objections, and the time to do so has passed. After a review of the Proposed Findings and Recommendations, the Court adopts them in their entirety. The Court denies Ms. Bland's motion to vacate Mr. McClanton's *in forma pauperis* status.

It is so ordered on this 17th day of December, 2015.



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Kristine G. Baker  
United States District Judge