

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

**RUSSELL BERGER,
ADC #115855**

PLAINTIFF

V.

CASE NO. 5:15-CV-262-JM-BD

DANNY BURL, et al.

DEFENDANTS

ORDER

The Court has received a Partial Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. The parties have not filed objections. After careful review of the Recommendation, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects in its entirety.

The Defendants’ motion (#13) is GRANTED, in part, and DENIED, in part. All claims for violation of the Free Exercise Clause and RLUIPA relating to the refusal to allow Mr. Berger to grow a beard and long hair are DISMISSED, with prejudice. Defendants’ motion for judgment on the pleadings on Mr. Berger’s first amendment Establishment Clause claims are denied.

IT IS SO ORDERED, this 22nd day of August, 2016.



UNITED STATES DISTRICT JUDGE