

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

HENRY A. HARMON  
ADC #103609

PLAINTIFF

v.

No. 5:15-cv-397-DPM

JONATHAN J. WHITE, Corporal,  
Cummins Unit; KEITH DAY, Captain,  
Cummins Unit; and JARED BYERS,  
Assistant Warden, Cummins Unit

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Harris's recommendation, *No* 48, and overrules Harmon's objections, *No* 49. FED. R. Civ. P. 72(b)(3). Motion for summary judgment, *No* 37, granted. Harmon's remaining claims will be dismissed without prejudice for failure to exhaust.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

8 February 2017