

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

CARL DAVIS, JR.
ADC #080431

PLAINTIFF

v.

CASE NO. 5:16CV00039 BSM

WENDY KELLEY, Director,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

The partial recommended disposition submitted by United States Magistrate Judge J. Thomas Ray and plaintiff's objections thereto have been reviewed. After carefully considering these documents and making a *de novo* review of the record, the partial recommended disposition is hereby adopted in all respects.

IT IS THEREFORE ORDERED THAT:

1. Davis may proceed with his inadequate medical care and retaliation claims against Taylor, Williams, Clowers, Gray, Kelley, Griffin, King, and Watson.
2. Burnett and Lane are dismissed without prejudice from this lawsuit because no viable claims have been pled against them.
3. All other claims mentioned in the complaint are dismissed without prejudice for failing to state a claim upon which relief may be granted.
4. The Clerk is directed to prepare a summons for Kelley, Griffin, Watson, Taylor, and Williams. The U.S. Marshals are directed to serve the summons, complaint, and this order on them through the ADC Compliance Office without prepayment of fees and

costs or security therefor. If any of the defendants are no longer ADC employees, the ADC Compliance Office must file a **sealed** statement providing the unserved defendant's last known private mailing address.

5. The Clerk is direct to prepare a summons for King, Clowers, and Gray. The U.S. Marshals are directed to serve the summons, complaint, and this order on them through the Humphries, Odum & Eubanks law firm without prepayment of fees and costs or security therefor. If any of the defendants are no longer CCS employees, the Humphries, Odum & Eubanks law firm must file a **sealed** statement providing the unserved defendant's last known private mailing address.

6. It is certified, 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.

IT IS SO ORDERED this 22nd day of April 2016.


UNITED STATES DISTRICT JUDGE