

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

BRANDON FRITTS
ADC # 120999

PLAINTIFF

v.

No. 5:16-cv-141-DPM-PSH

WENDY KELLEY, Director, Arkansas
Department of Correction; DALE REED,
Deputy Director, ADC; RANDY WATSON,
Warden, Varner/Varner Supermax;
DOES, VSM Director Review Committee,
VSM Classification Committee; FLORIA
WASHINGTON, Classification Officer,
Varner SuperMax; CURTIS MEINZER,
Deputy Warden, Varner SuperMax;
MOSES JACKSON, Deputy Warden,
Varner SuperMax; JEREMY ANDREWS,
Deputy Warden, Varner SuperMax; BILLY
INMAN, Deputy Warden, Varner SuperMax;
and CHRIS BUDNIK, Deputy Warden,
Varner SuperMax

DEFENDANTS

ORDER

A recent order mailed to Fritts came back undelivered. *No* 43. But Magistrate Judge Harris's 31 January 2017 partial recommendation hasn't been returned. The Court adopts that unopposed partial recommendation, *No* 40. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). The motions to dismiss, *No* 12, 20 & 35, are granted in part and denied in part. Fritts's claims for damages against the Defendants in their official capacities

are dismissed with prejudice. The case will go forward on all other claims. And Fritts's motion to amend, No 39, is granted. The Court directs the Clerk to docket the motion, No 39, as an addendum to Fritts's amended complaint, No 19.

So Ordered.

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

28 February 2017