

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

**REGINALD L. DUNAHUE
ADC #106911**

PLAINTIFF

v.

Case No. 5:16-cv-00144-KGB/JTR

**RANDY WATSON, Warden,
Varner Super Max Unit, ADC, et al.,**

DEFENDANTS

ORDER

The Court has reviewed the Recommended Partial Disposition (Dkt. No. 9) and Revised Recommended Partial Disposition (Dkt. No. 15-1) submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed to either the Recommended Partial Disposition or the Revised Recommended Partial Disposition, and the time to file objections has passed. After careful review, the Court concludes that the Revised Recommended Partial Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects (Dkt. No. 15-1). As a result, the Court rejects the Recommended Partial Disposition as moot (Dkt. No. 9). Accordingly, plaintiff Reginald L. Dunahue may proceed with his excessive force claim against defendants Plummer, Herrington, Malone, and Foote; inadequate medical care claim against defendants Plummer, Herrington, and Foote; and inhumane conditions of confinement claims against defendants Watson, Budnik, Plummer, Herrington, Malone, Foote, and Andrews (Dkt. No. 2). Mr. Dunahue's remaining claims and claims against all other defendants not specifically identified in this Order are dismissed without prejudice. The Court certifies, 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.

So ordered this the 23rd day of January, 2018.



Kristine G. Baker
United States District Judge