

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

**DENNIS J. CHEATHAM
ADC #136117**

PLAINTIFF

VS.

5:16-CV-00239 BRW/JTR

**JOHN DOES 1-4, unknown Varner Unit Warden
and Correctional Officers; and
CHERYLE JOHNSON, Captain, Varner Unit, ADC**

DEFENDANTS

ORDER

I have reviewed the Recommendation submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, I approve and adopt the Recommendation.

Accordingly Defendant's Motion for Summary Judgment is GRANTED, and Plaintiff's claims against all defendants are DISMISSED WITHOUT PREJUDICE.¹

I certify that an *in forma pauperis* appeal from this Order would not be taken in good faith.²

IT IS SO ORDERED this 11th day of May, 2017.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹ Doc. 36.

²28 U.S.C. § 1915(a)(3).