

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

**JAMES KELLEY HAYNES, SR.**  
**ADC #083056**

**PLAINTIFF**

**v.**

**Case No. 5:16-cv-00240 KGB/JTR**

**DAVID TAYLOR,**  
**Bus Factory Supervisor, ADC**

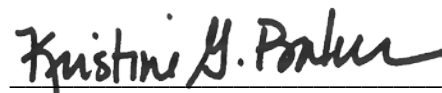
**DEFENDANT**

**ORDER**

Before the Court are a Recommended Partial Disposition and Recommended Disposition filed by United States Magistrate Judge J. Thomas Ray (Dkt. Nos. 29, 33). No objections have been filed, and the time for filing objections has passed. After careful review of the Partial Recommended Disposition and the Recommended Disposition, the Court adopts both in their entirety as this Court's findings in all respects.

Therefore, defendant David Taylor's motion for partial summary judgment is granted (Dkt. No. 20), and plaintiff James Kelley Haynes's retaliation and free exercise of religion claims are dismissed without prejudice due to lack of exhaustion. Mr. Haynes's racial discrimination claim against Mr. Taylor is dismissed without prejudice due to a lack of prosecution. Mr. Taylor's motion for judgment on the pleadings is denied as moot (Dkt. No. 26). The Court certifies that an *in forma pauperis* appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So ordered this 25th day of August, 2017.



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Kristine G. Baker  
United States District Judge