

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

**RUFUS POINDEXTER  
ADC #140873**

**PLAINTIFF**

**Case No. 5:16-cv-00244-KGB-BD**

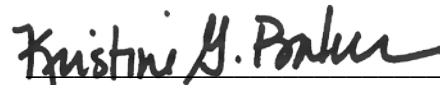
**ANDREWS, et al.**

**DEFENDANTS**

**ORDER**

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge Beth Deere (Dkt. No. 21). Plaintiff Rufus Poindexter has filed no objections to the Recommended Disposition, and the time for filing objections has passed. After careful consideration of the Recommended Disposition, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects (Dkt. No. 21). Therefore, the Court grants defendants' motion to dismiss and dismisses without prejudice this case based on Mr. Poindexter's failure to exhaust administrative remedies (Dkt. No. 8).<sup>1</sup> The pending motion for protective order is denied as moot (Dkt. No. 23).

So ordered this 16th day of February, 2017.

  
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Kristine G. Baker  
United States District Judge

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<sup>1</sup> This Court agrees that, even though separate defendant Captain Demery, previously misidentified as "Captain Denver," has not yet been served and therefore did not join in the motion to dismiss, the exhaustion requirement applies equally to Captain Demery (Dkt. No. 21, at 2 n.1).