

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

**JIMMY R. HEIKKILA,
ADC #122299**

PLAINTIFF

v.

CASE NO. 5:16CV00299 BSM

**WENDY KELLEY, Director,
Arkansas Department of Correction, et al.**

DEFENDANTS

ORDER

The partial recommended disposition submitted by United States Magistrate Judge J. Thomas Ray [Doc. No. 5] and objections filed by plaintiff Jimmy Heikkila [Doc. No. 7] have been reviewed. After careful consideration, the partial recommended disposition is adopted in all respects.

Accordingly, Heikkila is allowed to proceed with his free exercise claims under 42 U.S.C. § 1983, and the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc-1 (“RLUIPA”). Heikkila’s equal protection claim against defendants Wendy Kelley, Randy Watson, and Joshua Mayfield is dismissed without prejudice. The U.S. Marshal is directed to serve the summons and complaint [Doc. No. 2] and this order on Kelley, Watson, and Mayfield. Finally, an *in forma pauperis* appeal taken from the order adopting the partial recommended disposition will not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 9th day of January 2017.


UNITED STATES DISTRICT JUDGE