

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

DEVERICK SCOTT, ADC #131042

PLAINTIFF

v.

No. 5:16CV00327-JLH-JJV

WENDY KELLEY, Director, ADC, *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Defendant Pruitt is DISMISSED without prejudice from this cause of action.
2. 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 20th day of April, 2017.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE