

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

DEVERICK SCOTT
ADC #131042

PLAINTIFF

v.

No. 5:17-cv-66-DPM-JJV

WENDY KELLEY,* Director, ADC; DANNY BURL,
Warden, Tucker Max Unit; STROUT, Major,
Tucker Max Unit; CLARK, Lieutenant, Tucker
Max Unit; COCHORAN, Lieutenant, Tucker Max
Unit; KENNEDY, Sergeant, Tucker Max Unit;
CHRISTOPHER, Sergeant, Tucker Max Unit;
THOMPSON, Corporal, Tucker Max Unit; NEIL,
Officer, Tucker Max Unit; NEESE, Officer, Tucker
Max Unit; HARRISON, Commissary Supervisor,
Tucker Max Unit; JOHN HERRINGTON, Lieutenant,
Varner SuperMax; RICHARDSON, Captain, Varner
SuperMax; BROWN, Sergeant, Varner SuperMax;
BUNDICK, Assistant Warden, Varner SuperMax;
BOLDEN, Major, Varner SuperMax; MARK
STEPHENS, Captain, Varner SuperMax; FELICIA
PIGGIE-GORDAN, Law Librarian, Varner SuperMax;
EVANS, Law Librarian, Varner SuperMax; and
WEEKLY, Assistant Warden, Tucker Max Unit

DEFENDANTS

ORDER

Unopposed partial recommendation, *No* 5, adopted with one modification. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). All of Scott's federal law and state law claims about his access to his

*The Court directs the Clerk to correct the spelling of Director Kelley's name on the docket.

legal books and materials may proceed in this lawsuit. Those claims run against Herrington, Richardson, Brown, Evans, Piggie-Gordan, Bundick, Bolden, and Stephens. *No 2 at 14-15*. Scott also alleges that Kennedy confiscated his law books in retaliation for his filing grievances against her, *No 2 at 5*; and construing his complaint liberally, this related claim should also proceed for now. FED. R. CIV. P. 20(a)(2). All other claims and all other defendants are dismissed without prejudice. An *in forma pauperis* appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

13 April 2017