

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

**WINSTON HOLLOWAY**  
**ADC #67507**

**PLAINTIFF**

**V.**

**NO: 5:17-CV-00217 JM/PSH**

**JAMES GIBSON, et al.**

**DEFENDANTS**

**ORDER**

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Patricia S. Harris, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, 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. Holloway's unreasonable search claim against defendants Phillips, James, and Emsweller proceed.
2. Holloway's other claims are dismissed without prejudice for failure to state a claim upon which relief may be granted, and all defendants other than defendants Phillips, James, and Emsweller are dismissed from the case.
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from the order adopting this recommendation or the accompanying judgment would not be taken in good faith.

DATED this 11<sup>th</sup> day of October, 2017.

  
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UNITED STATES DISTRICT JUDGE