

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

EDDIE BRILEY

PLAINTIFF

v.

No. 5:17-cv-260-DPM-BD

GERALD ROBERSON, Sheriff,
Jefferson County Jail, *et al.*

DEFENDANTS

ORDER

1. On *de novo* review, the Court adopts the partial recommendation, *No 7*, as modified. FED. R. CIV. P. 72(b)(3). Briley's objections, *No 21*, are partly sustained: construing the complaint broadly, Briley has stated a failure-to-protect claim against Roberson and Bolin as well. *No 1 at 4-5*. The remaining objections are overruled. If Briley wants to make a claim against Defendant Evans, then he must do so in an amended complaint – not in his objections.

2. Briley may proceed with his failure-to-protect claims against Cherry, Johnson, Tyler, Hunter, Adams, Alexander, McClinton, Taylor, Browley, Roberson, and Bolin. He may proceed with his excessive-force claims against Shaw, Taylor, and Cherry. And he may proceed with his deliberate-indifference claims against Turntine, Rose, and Johnson. All other claims and defendants are dismissed without prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

12 December 2017