

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

TOMLIN NANCE
ADC #115853

PLAINTIFF

v.

5:17CV00271-JM-JJV

WENDY KELLEY, Director,
Arkansas Department of Correction; *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. Defendants Brown, Easaw, and Foots are 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 adopting the recommendation would not be taken in good faith.

DATED this 5th day of March, 2018.



JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE