

**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.

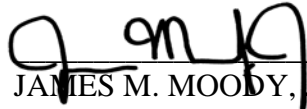
IT IS, THEREFORE, ORDERED that:

1. The Clerk amend the docket to reflect the full and correct names of Defendants as follows: Randall Watson, James Gibson, Antwone Emsweller, Tony McHan, Mark Cashion, Christopher Budnik, Kennie Bolden, Mark Stephens, James Plummer, Flora Washington, Michael Demery, Tonda Spencer, Faye Pittman, Gloria Thompson, and Gladys Evans. (Doc. Nos. 11 at 1, 42 at 1.)
2. Defendants' Motion for Partial Summary Judgment (Doc. No. 44) is GRANTED.
3. Plaintiff's claims against Defendants Kelley, Reed, Payne, Gibson, Emsweller, Cashion, Budnik, Bolden, Plummer, Demery, Spencer, King, Pittman, Thompson, Evans, and Piggee are DISMISSED without prejudice for failure to exhaust administrative remedies, and these Defendants are dismissed from this cause of action.

4. Plaintiff's claims against Defendants Watson, McHan, Stephens, and Washington for the denial of media and the denial of personal property during relief periods are DISMISSED without prejudice for failure to exhaust administrative remedies.

5. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order adopting these recommendations would not be taken in good faith.

DATED this 19<sup>th</sup> day of March, 2018.

  
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JAMES M. MOODY, JR.  
UNITED STATES DISTRICT JUDGE