

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

BARRY PAXTON
ADC #660117

PLAINTIFF

v.

5:17CV00293-JLH

IRIS McBRIDE, Corporal,
Barbara Ester Unit; *et al.*

DEFENDANTS

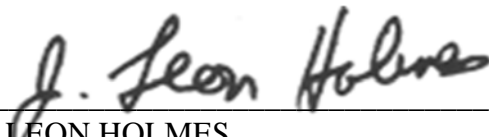
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's Objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and 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' Motion for Summary Judgment (Doc. No. 59) is GRANTED.
2. Plaintiff's remaining claims against Defendants McBride, Evans, Gray, and Malone are DISMISSED without prejudice for failure to exhaust administrative remedies.
3. Plaintiff's cause of action is DISMISSED.
4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order adopting these recommendations and the accompanying Judgment would not be taken in good faith.

DATED this 12th day of March, 2018.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE