

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

PETE WILLIAM CORN

PLAINTIFF

VS.

CASE NO. 09-CV-1015

KEN JONES, Union County Sheriff;
CAPT. JOHN WILLIAMS, Union
County Criminal Justice Facility; LT.
BASS; DEPUTY GERRY AVERY; DR.
SEAL; and NURSE KELLY PEPPER

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed on August 26, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. No. 40). In his report, Judge Bryant found, *inter alia*, that there were genuine issues of fact whether Defendants Sheriff Ken Jones, Captain John Williams and Nurse Kelly Pepper were deliberately indifferent to Plaintiff Pete Corn's medical needs. He also found that there was insufficient evidence as to whether Lt. Bass and Deputy Gary Aaron were deliberately indifference to Plaintiff's medical needs. Judge Bryant recommended that summary judgment be granted with respect to Plaintiff's claims against Lt Bass and Deputy Aaron and denied as to Sheriff Jones, Captain Williams and Nurse Pepper. Fourteen (14) days have passed and no objections have been filed as to these findings and recommendations. The Court hereby adopts the magistrate's findings and recommendations as to these Defendants.

Accordingly, the Court hereby finds that the Motion for Summary Judgment (Doc. No. 15) should be and hereby is **granted** in part and **denied** in part. Summary judgment as to

Defendants Lt. Bass and Deputy Gary Aaron is hereby granted. All claims against these Defendants are dismissed. Summary judgment as to Defendants Sheriff Ken Jones, Captain John Williams and Nurse Kelly Pepper is hereby denied.

IT IS SO ORDERED, this 30th day of September, 2010.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge