

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

MARCUS AARON MALEY

PLAINTIFF

v.

Civil No. 09-3024

SHERIFF ROBERT GRUDEK

DEFENDANT

O R D E R

NOW on this 10th day of September, 2010, comes on for consideration the **Magistrate Judge's Amended Report and Recommendation** (document #31), filed on August 17, 2010, to which no objections have been made, and the Court, having carefully reviewed said Amended Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Amended Report and Recommendation** is adopted *in toto*.

IT IS FURTHER ORDERED that, for the reasons stated in the **Amended Report and Recommendation**, Defendant's Motion for Summary Judgment (document #20) is hereby **GRANTED IN PART AND DENIED IN PART**. Specifically, the motion is granted with respect to Plaintiff's claims regarding deductions from his inmate account for the cost of prescription medication allegedly provided Plaintiff during a previous incarceration. In all other respects, the motion for summary judgment is denied.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE