

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

SAMUEL LEWIS THOMAS

PLAINTIFF

V.

CASE NO. 5:13-CV-5246

DEPUTY WILKINS; DEPUTY RILEY;
DEPUTY BOWMEN; DEPUTY KILLPATRICK;
DEPUTY LONG; and SGT. LARA

DEFENDANTS

ORDER

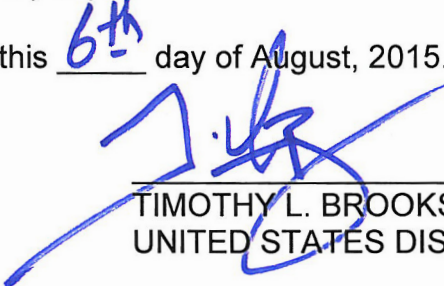
Comes on for consideration the Report and Recommendation (Doc. 116) filed in this case on June 19, 2015, by the Honorable Mark E. Ford, United States Magistrate for the Western District of Arkansas. Fourteen (14) days have passed without objections being filed by the parties.

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, for the reasons stated in the Magistrate Judge's Report and Recommendation, Defendants' Motion for Summary Judgment (Doc. 81) is **GRANTED IN PART** and **DENIED IN PART**.

The Motion is **GRANTED** as to the following claims, which are **DISMISSED WITHOUT PREJUDICE**: (1) all claims against Defendants Riley, Bowmen, Kilpatrick, and Long; (2) all official capacity claims; (3) the unlawful detainment claims; (4) the wrongful placement and continued detention in segregation claims; and (5) all harassment, verbal abuse, and discrimination claims.

The Motion is **DENIED** with respect to the excessive force claims asserted against Defendants Lara and Wilkins arising out of incidents occurring on September 5, 2013. These claims will be set for trial by separate order.

IT IS SO ORDERED on this 6th day of August, 2015.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE