

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

VERNON CAPSHAW

PLAINTIFF

v.

Case No. 09-6070

CAPTAIN MEL STEED, Garland County
Detention Center; LT. RADLEY, Garland
County Detention Center; SHERIFF LARRY
SANDERS; FORMER SGT. ROWE; DEPUTY JOSH
CANNON, Garland County Detention Center

DEFENDANTS

ORDER

Now on this 23rd day of March 2011, there comes on for consideration the report and recommendation filed herein on February 16, 2011, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 28). Also before the Court are Defendants' objections (Doc. 29).

The court has reviewed this case *de novo* 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, Defendants' Motion for Summary Judgment (Doc. 20) is GRANTED as to Plaintiff's claims that he was subjected to unconstitutional conditions of confinement in May of 2009 and was required to sleep on a mattress on the floor, as well as his official capacity claims. Defendants' Motion is DENIED as to Plaintiff's claim he was subjected to unconstitutional conditions

of confinement from March 6-8, 2008.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge