

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

JOHN PATRICK CULLEN

PLAINTIFF

v.

Case No. 11-6042

GARLAND COUNTY, ARKANSAS;
SHERIFF LARRY SANDERS;
CHIEF DEPUTY RAY SHOPTAW;
CAPTAIN MEL STEED and
LT. RONNIE RADLEY

DEFENDANTS

ORDER

Now on this 14th day of March 2013, there comes on for consideration the report and recommendation filed herein on February 13, 2013, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 40). Also before the Court are Defendants' objections (doc. 43).

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. 16) is GRANTED IN PART AND DENIED IN PART. Defendants' motion is granted as to Plaintiff's claims for (1) the lack of TB lights; (2) the use of padlocks; (3) inadequacies in the grievance procedure; (4) failure to make copies; and (5) all official capacity claims; and these claims are DISMISSED WITH PREJUDICE. Plaintiff is directed to file an amended complaint identifying the

individual involved and stating how he believes his constitutional rights were violated if he intends to assert a retaliation claim.

IT IS SO ORDERED.

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