

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

TREMAIN LACY

PLAINTIFF

v.

Case No. 11-6053

DALE REED, LARRY MAY,
GRANT HARRIS and
FRED CAMPBELL

DEFENDANTS

ORDER

Now on this 25th day of September 2014, there comes on for consideration the report and recommendation filed herein on August 11, 2014, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 44). Also before the Court are Plaintiff's written objections. (Doc. 46).

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. 31) is GRANTED. Separate Defendants Harris and May are DISMISSED WITHOUT PREJUDICE pursuant to 42 U.S.C. § 1997e(a), and Plaintiff's First Amendment claim regarding Smooth Magazine Issue #41 against Separate Defendants Reed and Campbell is DISMISSED WITH PREJUDICE. This leaves Plaintiff's First Amendment claim regarding issue #37 for future resolution.

IT IS SO ORDERED.

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