

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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AARON BENBOW,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-757 S
)	
A.T. WALL, C/O GRANDPRE,)	
LT. ALVES, and JAMES WEEDEN,)	
)	
Defendants.)	
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ORDER

WILLIAM E. SMITH, Chief Judge.

This action arises from a physical altercation between Plaintiff Aaron Benbow and a prison official. On January 13, 2014, United States Magistrate Judge Patricia A. Sullivan issued a Report and Recommendation (ECF No. 5) recommending dismissal of Mr. Benbow's claims with prejudice, except for certain habeas claims, which Magistrate Judge Sullivan recommended be dismissed without prejudice. No objections were filed.

Because this Court agrees with Magistrate Judge Sullivan's analysis, it hereby accepts the Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1). Mr. Benbow's claims are dismissed with prejudice, except for the claim seeking expungement of the altercation from Mr. Benbow's disciplinary record, and the claim seeking restoration of Mr. Benbow's "good time" credit, which claims are dismissed without prejudice.

Mr. Benbow's other pending motions seeking leave to proceed in forma pauperis (ECF No. 2), seeking appointment of counsel (ECF No. 3), and requesting service of process (ECF No. 4) are DENIED AS MOOT.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "WESMITH".

William E. Smith
Chief Judge
Date: February 19, 2014