

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

FLOYD DELL JOHNSON

PLAINTIFF

ADC #077727

v.

Case No. 2:20-cv-00129-KGB-ERE

TYRONE ALLISON *et al.*

DEFENDANTS

ORDER

Before the Court are two Partial Recommended Dispositions submitted by United States Magistrate Judge Edie R. Ervin (Dkt. Nos. 72; 74).

In Judge Ervin's Partial Recommended Disposition dated November 19, 2021 ("Recommendation I") (Dkt. No. 72), Judge Ervin recommends granting in part and denying in part defendants' Tyrone Allison and Ethan Casey's motion for summary judgment (Dkt. No. 60). Specifically, Judge Ervin recommends granting Mr. Allison and Mr. Casey's motion for summary judgment related to Mr. Johnson's claims against Mr. Allison and allowing Mr. Johnson to proceed with his excessive force claim against Mr. Casey (Dkt. No. 72, at 6). Judge Ervin also recommends denying both Mr. Johnson's motion for summary judgment and his November 17, 2021, motion to amend complaint (Dkt. Nos. 64; 71; 72, at 6). Neither party submitted objections to Recommendation I, and the time for doing so has passed. After careful consideration, the Court concludes that Recommendation I should be, and hereby is, approved and adopted as this Court's finding in all respects (Dkt. No. 72). The Court grants in part and denies in part Mr. Allison and Mr. Casey's motion for summary judgment (Dkt. No. 60), denies Mr. Johnson's motion for summary judgment (Dkt. No. 64), and denies Mr. Johnson's first request to amend complaint (Dkt. No. 71). Mr. Johnson is allowed to proceed on his excessive force claim against Mr. Casey.

In Judge Ervin's Partial Recommended Disposition dated November 29, 2021 ("Recommendation II") (Dkt. No. 74), Judge Ervin recommends denying Mr. Johnson's motion to amend complaint dated November 22, 2021 (Dkt. No. 73). Neither party submitted objections to Recommendation II and the time for doing so has passed. After careful consideration, the Court concludes that Recommendation II should be, and hereby is, approved and adopted as this Court's finding in all respects (Dkt. No. 74). The Court denies Mr. Johnson's request to amend his complaint (Dkt. No. 73).

It is so ordered this the 12th day of September, 2022.



Kristine G. Baker
Kristine G. Baker
United States District Judge