

Cherry Comick, Deputy, Pulaski County
Detention Facility (originally sued
as Comick),

Defendant - Appellee,

Mauricio Gatica, Deputy, Pulaski
County Detention Facility (originally
sued as Gatica),

Defendant,

Lee Berry, Lt., Pulaski County
Detention Facility (originally sued as
Berry); Wesley Barnett, Sgt., Pulaski
County Detention Facility (originally
sued as Burnett); Stephanie Gaines,
Deputy, Pulaski County Detention
Facility (originally sued as Goings),

Defendant - Appellees,

Fugerson, Mrs., Commissary Manager,
Pulaski County Detention Facility,

Defendant,

Jackie Marshall, Commissary
Personnel, Pulaski County Detention
Facility,

Defendant - Appellee,

Jeania Armstrong, Mrs., Commissary
Personnel, Pulaski County Detention
Facility (originally sued as Armstrong),

Defendant, *

Shawn Smith, Major, Pulaski County Detention Facility (originally sued as Smith); Toni Rose, Sgt. Pulaski County Detention Facility (originally sued as Rose); Kelly Paxson, Lt., Pulaski County Detention Facility (originally sued as Paxxon); Eugene Rouse, Lt., Pulaski County Detention Facility (originally sued as Rawls), *

Defendants - Appellees, *

Ebony Mance, Deputy, Pulaski County Detention Facility (originally sued as Mance), *

Defendant, *

Juwanna Sturd, Sgt., Pulaski County Detention Facility (originally sued as Strud); Bobbie Townsend, Lt., Pulaski County Detention Facility (originally sued as Townsend); Michelle Bailey, Ms., Pulaski County Detention Facility (originally sued as Bailey); Sarah Speer, Medical Provider Manager, Pulaski County Detention Facility (originally sued as Sara Speer), *

Defendants - Appellees, *

Gerald Kirk, Deputy, Pulaski County Detention Facility (originally sued as Kirk), *

Defendant, *

Linda Daniels, Deputy, Pulaski County Detention Facility (originally sued as Daniels); Michael Hagerty, Deputy, Pulaski County Detention Facility (originally sued as Hagerty); Eugene Lavigne, Deputy, Pulaski County Detention Facility (originally sued as Laveighn); Charles Sprankle, Deputy, Pulaski County Detention Facility (originally sued as Sprankle); Anita Moss, Deputy, Pulaski County Detention Facility (originally sued as Moss); Anita Nickleberry, Deputy, Pulaski County Detention Facility (originally sued as Nichole Berry); Bobby Green, Deputy, Pulaski County Detention Facility (originally sued as Green); Judy Pressley, Deputy, Pulaski County Detention Facility (originally sued as Preseley); Rochron Thompson, Deputy, Pulaski County Detention Facility (originally sued as Thompson); Richard McAnally, Deputy, Pulaski County Detention Facility (originally sued as McAnnally); Vance Rice, Deputy, Pulaski County Detention Facility (originally sued as Rice); James Fencer, Deputy, Pulaski County Detention Facility (originally sued as Fencer); Carolyn Redmon, Sgt., Pulaski County Detention Facility (originally sued as Redmon); Gail Long, Sgt., Pulaski County Detention Facility (originally sued as Long); Verochia Peters, Captain, Pulaski County Detention Facility (originally sued as Peters); Vivalon Nelson, Lt.,

Pulaski County Detention Facility *
(originally sued as Nelson/Wimberly), *

Defendants - Appellees, *

Harris, Deputy, Pulaski County *
Detention Facility, *

Defendant, *

Sylvia Willis, Deputy, Pulaski County *
Detention Facility (originally sued as *
Willis); Mae Wright, Deputy, Pulaski *
County Detention Facility (originally *
sued as Wright), *

Defendants - Appellees, *

Allen, Deputy, Pulaski County *
Detention Facility, *

Defendant, *

Jason Blalock, Sgt., Pulaski County *
Detention Facility (originally sued as *
Blaylock); Charles Patillo, Deputy, *
Pulaski County Detention Facility *
(originally sued as Petillo); Jennifer *
Karschner, Deputy, Pulaski County *
Detention Facility (originally sued as *
Keshner); George Clarke, Deputy, *
Pulaski County Detention Facility *
(originally sued as Clark); Matthew *
Briggs, Sgt., Pulaski County Detention *
Facility (originally sued as Briggs); *
Russell Houda, Deputy, Pulaski *
County Detention Facility *

(originally sued as Hoda); Ralph
McCray, Sgt., Pulaski County
Detention Facility (originally sued as
McCray); Debra Adams, Deputy,
Pulaski County Detention Facility
(originally sued as Adams); William
Stricklin, Sgt., B -Shift, Pulaski County
Detention Center (originally sued as
Stricklen),

Defendants - Appellees,

Elizabeth Crouch, Deputy B - Shft,
Pulaski County Detention Center
(originally sued as Crouch),

Defendant,

Kala Cherry, Deputy A-Shift, Pulaski
County Detention Center (originally
sued as Cherry); Andrea Russell,
Deputy A-Shift, Pulaski County
Detention Center (originally sued
as Russle); Willie Owens, Deputy,
Transportation, Pulaski County
Detention Center (originally sued
as Owens),

Defendants - Appellees,

Hughes, Deputy, Transportation,
Pulaski County Detention Center,

Defendant,

Miles Gilbert; Lewis Gilbert;
Jason Jackson; Carl Jackson;

Jonathen Smith, *
*
Defendants - Appellees, *
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Earl Smith, *
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Defendant, *
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Rhonda Jones, *
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Defendant - Appellee, *
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Rosie Jones, *
*
Defendant, *
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Dedra Hoof, Lynnwood Robinson; *
Diane Green; Alvronia Robinson; *
Elbert Lewis; Theodore Lewis; *
Petra Lewis; Sondra Lewis; Arthria *
Moore, *
Defendants - Appellees, *
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John Williams, *
*
Defendant. *

Submitted: June 22, 2011
Filed: June 28, 2011

Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

Inmates Robert Maxwell and Princess Smith appeal the district court's¹ dismissal of their 42 U.S.C. § 1983 lawsuit following an evidentiary hearing. Upon careful review of the record and of appellants' arguments, see Choate v. Lockhart, 7 F.3d 1370, 1373 & n.1 (8th Cir. 1993) (reviewing factual findings for clear error, and legal conclusions de novo), we find no basis for reversal. Because it would have been impossible for Ms. Smith to exhaust her claim against defendant Deputy Willie Owens before filing suit--as the incident with Mr. Owens had yet to occur--dismissal of this claim on exhaustion grounds was mandatory. See Johnson v. Jones, 340 F.3d 624, 627 (8th Cir. 2003). Accordingly, we affirm, see 8th Cir. R. 47B, but we amend the dismissal of Ms. Smith's claim against Mr. Owens to be without prejudice.

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Beth Deere, United States Magistrate Judge for the Eastern District of Arkansas.