

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, HOT SPRINGS DIVISION

**Jeremiah Earl Walton v. Dr. Guy Micheal Henry, Ouachita River
Correctional Unit, Superintendent Jared Byers, and Wellpath Health
Services**

Walton · No. 6:25-cv-6015 · Decided December 18, 2025

SUMMARY

The United States District Court for the Western District of Arkansas adopts a magistrate judge's Report and Recommendation concerning claims arising from alleged retaliation and medical care in a correctional facility. The court dismisses without prejudice the claims against Wellpath Health Services and Dr. Guy Micheal Henry due to the effect of Wellpath's bankruptcy plan and permits the First Amendment retaliation claim against Jared Byers to proceed.

OPINION

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS HOT SPRINGS DIVISION JEREMIAH EARL WALTON PLAINTIFF v. Case No. 6:25-cv-6015 DR. GUY MICHEAL HENRY, Ouachita River Correctional Unit ("ORCU"); SUPERINTENDENT JARED BYERS, ORCU; and WELLPATH HEALTH SERVICES DEFENDANTS ORDER Before the Court is a Report and Recommendation ("R&R") issued by the Honorable Christy D. Comstock, United States Magistrate Judge for the Western District of Arkansas.

ECF No. 17. Judge Comstock recommends that Plaintiff's claims against Defendants Wellpath Health Services ("Wellpath") and Dr. Guy Micheal Henry be dismissed without prejudice, and that Plaintiff's First Amendment retaliation claim against Defendant Jared Byers pursuant to 42 U.S.C. § 1983 should remain for further consideration. Judge Comstock explains that Wellpath previously declared bankruptcy and that Wellpath's bankruptcy plan "permanently enjoins Plaintiff from commencing or continuing any action against Wellpath, LLC, and that Plaintiff must opt-out of the third-party releases in the Plan in order to proceed in District Court for any individual capacity claims against Wellpath employees."¹ Judge Comstock then notes that the Court directed OF Plaintiff to complete a Declaration form indicating his current status in the case.

ECF No. 8. Plaintiff submitted the completed Declaration, which indicated that he had not opted out of the third-party releases. Judge Comstock concludes that this indicates that Plaintiff's claims against Wellpath and Jared Byers, a Wellpath employee, cannot proceed. 1 See, e.g., Layne v.

Wellpath, Case No. 6:24-cv-06082-SOH-MEF, ECF Nos. 78 & 78-1. Plaintiff filed a timely objection.

ECF No. 22. However, even under a liberal construction, Plaintiff makes no arguments that address Judge Comstock's analysis or the basis for the recommendation. Instead, he simply voices complaints about the prior stay of this matter while Wellpath's bankruptcy proceedings finalized. Consequently, the Court need only review Judge Comstock's recommendations for clear error.

See *Thompson v. Nix*, 897 F.2d 356, 357-58 (8th Cir. 1990) (noting that a specific objection is necessary to require a de novo review of a magistrate's recommendation instead of a review for clear error). Upon review, finding no clear error on the face of the record and that Judge Comstock's reasoning is sound, the Court adopts the R&R (ECF No. 17) in toto.

Accordingly, Plaintiff's claims against Defendants Wellpath and Dr. Guy Micheal Henry are DISMISSED WITHOUT PREJUDICE. Plaintiff's claim against Defendant Jared Byers may proceed. IT IS SO ORDERED, this 18th day of December, 2025. /s/ Susan O. Hickey Susan O. Hickey United States District Judge