

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

FRANCES RENEE  
MILLER/PERRY *et al.*  
ADC #708998

PLAINTIFFS

V.

NO: 1:08CV00031 SWW

MARK CULLIOM *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Defendants' motion for summary judgment (docket entry #112) is GRANTED, and Plaintiff's complaint is DISMISSED WITH PREJUDICE. All pending motions are DENIED AS MOOT.

2. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 7th day of January, 2010.

/s/Susan Webber Wright

United States District Judge