

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

DETINA EATON
ADC #707841

PLAINTIFF

V.

NO: 1:08CV00032 JLH

LAVONDA DUNAVION

DEFENDANT

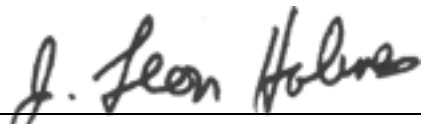
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, 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. Defendant's motion for summary judgment (docket entry #36) is GRANTED, and Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. The Court CERTIFIES that an *in forma pauperis* appeal from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 21st day of October, 2009.



UNITED STATES DISTRICT JUDGE