

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

**CATHERYNNNE W. KENDRICK *et al.***  
**ADC #708204**

**PLAINTIFFS**

**V.**

**1:08CV00044-WRW-HDY**

**LAVANDO K. DUNAVION *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. Again, as mentioned in footnote 3 of the Recommended Disposition, all of Ms. Kendrick's claims, other than her claims for lost, stolen, or destroyed property, have been voluntarily abandoned. Thus, this Order only applies to the property claims she has raised here.

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 are approved and adopted in their entirety as this Court's findings in all respects -- except to the extent that it directs dismissal to count as a strike.

**IT IS THEREFORE ORDERED THAT:**

1. Plaintiff's complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted.
2. All pending motions are **DENIED AS MOOT**.
3. 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 13<sup>th</sup> day of November, 2008.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE