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IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS NORTHERN DIVISION

OLAJUWON HICKS ADC#122781

PLAINTIFF

V.

1:09CV00011 BSM/JTR

BRENT BUTTS, Sergeant Grimes Unit, Arkansas Department of Correction

DEFENDANTS

ORDER

The court has received the proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray. The parties have filed no objections. After carefully reviewing the recommended disposition and reviewing the record *de novo*, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in all respects in their entirety.

IT IS THEREFORE ORDERED that:

- 1. Defendant's motion for summary judgment (docket entry #31) is GRANTED, and this case is DISMISSED, WITH PREJUDICE.
- 2. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), than an *in forma pauperis* appeal from this order and the accompanying judgment would not be taken in good faith.

Dated this 10th day of February, 2010.

UNITED STATES DISTRICT JUDGE