

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

JASON PAYTON
ADC #142389

PLAINTIFF

V. Case No. 1:09-cv-00044-DPM

JOSHUA EVANS, Correctional Officer,
RONALD REEDY, Sergeant, North Central Unit,
Arkansas Department of Correction

DEFENDANTS

ORDER

The Court has considered Magistrate Judge J. Thomas Ray's Proposed Findings and Recommended Disposition—to which Jason Payton filed an objection—and conducted a *de novo* review of the record in this case. The Court adopts Magistrate Judge Ray's Proposed Findings and Recommended Disposition. Defendants' motion for summary judgment, *Document No. 23*, is granted and Payton's complaint is dismissed with prejudice. An *in forma pauperis* appeal of this order and the subsequent judgment would be frivolous and not in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge

22 July 2010