

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

**DIANE JONES
ADC #706096**

PLAINTIFF

v.

Case No. 1:11-cv-15-DPM


**RANDALL W. MALOTT, RUDICK,
McCLUSKY, and LUSTER**

DEFENDANTS

ORDER

The Court has considered Magistrate Judge H. David Young's Proposed Findings and Recommendations - to which Diane Jones has not objected. The Court sees no legal error and no clear error of fact on the face of this record as a whole. FED. R. CIV. P. 72(b) (advisory committee notes to 1983 addition). The Court therefore adopts Magistrate Judge Young's proposal, *Document No. 8*. Jones's complaint is dismissed without prejudice. The Court further certifies that an *in forma pauperis* appeal from this order would not be taken in good faith. 28 U.S.C.A. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge



20 May 2011