

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

VICTORIA L. PETERSON
ADC #707743

PLAINTIFF

v.

1:11-cv-00116-JMM-JJV

W. BLAIR, Correctional Officer,
McPherson Unit, Arkansas
Department of Correction; *et al.*

DEFENDANTS

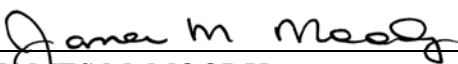
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. 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. Defendants' Motion to Dismiss (Doc. No. 29) is GRANTED and the Complaint (Doc. No. 2) is DISMISSED for failure to state a claim on which relief may be granted.
2. Dismissal of Plaintiff's Complaint should constitute a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

DATED this 16th day of October, 2012.



JAMES M. MOODY
UNITED STATES DISTRICT JUDGE