

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

TINA M. EMERSON,
ADC #710724

PLAINTIFF

v.

1:12-cv-00033-JMM-JJV

MAPLES, Warden, McPherson Unit,
Arkansas Department of Correction; *et al.*

DEFENDANTS

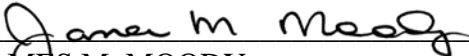
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, 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. Plaintiff's cause of action is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.
2. This dismissal constitutes a "strike" within the meaning of the PLRA.
3. The Court certifies that an *in forma pauperis* appeal from an Order and Judgment dismissing this action is not in good faith, pursuant to 28 U.S.C. § 1915(g).

DATED this 28 day of June, 2012.



JAMES M. MOODY
UNITED STATES DISTRICT JUDGE