

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

IVAN HEATH LEE,

\*

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Plaintiff,

\*

v.

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No. 1:12-cv-00085-SWW-JJV

\*

INDEPENDENCE COUNTY DETENTION  
CENTER; *et al.*,

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Defendants.

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**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. Plaintiff's Complaint and Amended Complaint (Doc. Nos. 2, 9) are DISMISSED for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" for purposes of 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 12<sup>th</sup> day of December, 2012.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE