

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

STEVE SCOTT BADER,
ADC #96787

PLAINTIFF

V.

1:13CV00051 SWW/JTR

DALTON WALLACE, Corporal,
North Central Unit, ADC

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, 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. Defendant's Motion to Dismiss (Doc. 19) is GRANTED, and this case is DISMISSED, WITHOUT PREJUDICE, for failing to state a claim upon which relief may be granted.
2. Dismissal constitutes a STRIKE, as defined by 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 would not be taken in good faith.

Dated this 10th day of October, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE