

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

**JOHN ANTHONY HOUSTON
ADC #119358**

PLAINTIFF

v.

CASE NO: 1:13CV00053 BSM

MARTY MOSS et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young have been reviewed, along with the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint is **DISMISSED WITH PREJUDICE** with respect to his claims regarding the conditions of his confinement, and **WITHOUT PREJUDICE** in all other respects.
2. All pending motions are **DENIED AS MOOT**.
3. It is further certified that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 12th day of August 2013.


UNITED STATES DISTRICT JUDGE