

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

SEAN R. MCCLURE

PLAINTIFF

v.

CASE NO. 1:13CV00086 BSM

WEEKLY, et al.

DEFENDANTS

ORDER

The proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney have been received. No objections have been filed. After careful review, the proposed findings and recommendations should be, and hereby are, adopted in their entirety in all respects.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's complaint is dismissed for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. It is further certified that an *in forma pauperis* appeal would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

DATED this 26th day of February 2014.


UNITED STATES DISTRICT JUDGE