

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

ERNEST TYRELL FRIAR, JR.
ADC #660122

PLAINTIFF

v.

1:14CV00097 BSM

**JACKSON COUNTY
SHERIFF DEPARTMENT**

DEFENDANT

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young has been received. No objections have been filed. After careful consideration, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted.
2. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
3. The court certifies 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 December 2014.


UNITED STATES DISTRICT JUDGE