

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

JIMMY SHANE CANTRELL, ADC # 98730

PLAINTIFF

VS.

1:16CV00075-BRW

**ARKANSAS DEPARTMENT
OF CORRECTION, et al.,**

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After considering the objections and making a *de novo* review of the record, the Court approves and adopts the Proposed Findings and Recommended Disposition in all respects.

Accordingly, Plaintiff's Complaint (Doc. No. 3) is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.

Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. § 1915(g).

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.

IT IS SO ORDERED this 16th day of August, 2016.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE