

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

JERRY DEAN CLARK
ADC #165173

PLAINTIFF

VS.

1:16CV00093-BRW

MARK COUNTS, *et al*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Patricia S. Harris. No objections have been filed. After careful consideration, the Court approves and adopts the Proposed Findings and Recommended Disposition in their entirety.

Accordingly, Plaintiff's motion to voluntarily dismiss complaint (Doc. No. 21) is GRANTED, and the complaint is DISMISSED WITHOUT PREJUDICE. An *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

IT IS SO ORDERED, this 7th day of December, 2016 (Pearl Harbor Day).

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE