

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

RASHUNE LEON RAGLON
ADC #552305

PLAINTIFF

v.

CASE NO. 1:17-CV-00094 BSM

MARJORIE HALL, Health Care Provider,
North Central Unit; et al.

DEFENDANTS

ORDER

The proposed findings and recommendations [Doc. No. 9] submitted by United States Magistrate Judge Joe J. Volpe and plaintiff Rashune Raglon's timely objections [Doc. No. 10] have been reviewed. After *de novo* review of the record, the proposed findings and recommendations are adopted in their entirety. Because Raglon is suing the defendants in their official capacities, his claims are barred under the doctrine of sovereign immunity. *Will v. Mich. Dep't of State Police*, 491 U.S. 58, 71 (1989) (holding that a suit against a state official in his or her official capacity is no different than a suit against the state itself). In his objections, Raglon does not seek leave to amend his complaint to sue defendants in their personal capacities. There is no need to provide such a remedy *sua sponte*.

Accordingly, Raglon's complaint [Doc. No. 1] is dismissed without prejudice, and dismissal of this case counts as a strike under 28 U.S.C. section 1915(g). It is certified, pursuant to 28 U.S.C. section 1915(a)(3), that an *in forma pauperis* appeal from this order adopting the proposed findings and recommendations and accompanying judgment would not be taken in good faith.

IT IS SO ORDERED this 28th day of November 2017.



UNITED STATES DISTRICT JUDGE