

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

JERRY T. REINER, JR.

PLAINTIFF

v.

2:08CV00168 BSM

**JHON COLLIER, Jail Administrator, Cross County
Jail; and HEATH SMITH, Jailer, Cross County Jail**

DEFENDANTS

ORDER

The court has reviewed the proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the court concludes that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety as this court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. This action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with Local Rule 5.5(c)(2).
2. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any order adopting these recommendations would not be taken in good faith.

DATED this 3rd day of December, 2008.


UNITED STATES DISTRICT JUDGE