

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

GREG PEPPER
ADC #079459

PLAINTIFF

V.

2:09CV00037 SWW/JTR

ANDREW L. CLINKSCALE,
Corporal, East Arkansas Regional Unit, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, 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. The Court's May 6, 2009 Recommended Partial Disposition (docket entry #6) is VACATED.
2. Plaintiff's Motion to Dismiss (docket entry #8) is GRANTED, and this case is VOLUNTARILY DISMISSED, WITHOUT PREJUDICE.
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 14th day of May 2009.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE