

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

DANNY CARTER  
ADC #82560

PLAINTIFF

V.

2:10CV00040 SWW/JTR

LAMS, Police Officer, Helena-West Helena Police;  
and JISSIE BLAKELY, Owner, Blakely Liquor Store

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, 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. Plaintiff's Application to Proceed *In Forma Pauperis* (docket entry #1) is DENIED.
2. This § 1983 action is DISMISSED, WITHOUT PREJUDICE, pursuant to the three strikes rule set forth in 28 U.S.C. § 1915(g).
3. If Plaintiff wishes to continue with this action, he must, within thirty days of the entry of this Order: (a) pay the \$350 filing fee in full; and (b) file a Motion to Reopen this case.
4. 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 30<sup>th</sup> day of April, 2010.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE