

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

WENDELL A. SHIELDS
ADC #550077

PLAINTIFF

v.

NO. 2:10CV00118 JLH

PATRICK WALTON, *et al.*

DEFENDANTS

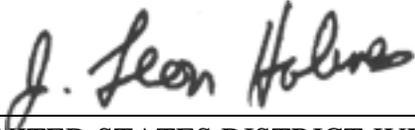
ORDER

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. Plaintiff's complaint is DISMISSED for failure to introduce sufficient evidence to create a fact issue to be submitted to a jury.
2. Plaintiff's excessive force claim against Defendant Patrick Walton is DISMISSED WITH PREJUDICE.
3. All of Plaintiff's other claims are DISMISSED WITHOUT PREJUDICE.
4. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 14th day of March, 2011.



UNITED STATES DISTRICT JUDGE