

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

**HERBERT LEWIS,  
#29486797**

**PLAINTIFF**

**v.**

**CASE NO. 2:10CV00131 BSM**

**T.C. OUTLAW et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended partial disposition submitted by United States Magistrate Judge H. David Young have been reviewed. No objections were filed. After carefully considering this document and making a *de novo* review of the record, it is concluded that the proposed findings and recommended partial disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED THAT:

1. Defendants' motion for summary judgment [Doc. No. 23] is GRANTED, and plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. It is certified 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 19th day of July 2011.

  
UNITED STATES DISTRICT JUDGE