

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

**DANIEL LEE CINCOSKI**

**PLAINTIFF**

**V.**

**CASE NO: 2:11CV00241 BSM**

**DANNY BURL et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young and the objections filed have been reviewed. After carefully considering the objections and making a *de novo* review of the record in this case, it is concluded that the proposed findings and recommended 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. 52] is GRANTED and plaintiff's complaint is DISMISSED WITH PREJUDICE.
2. It is further 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 24th day of May 2013.

  
UNITED STATES DISTRICT JUDGE