

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

**DANNY LEE HOOPER,
ADC #107609**

PLAINTIFF

V.

CASE NO. 2:12CV00047 BSM

**WENDY KELLEY, Deputy Director
of Health & Correctional Programs, ADC**

DEFENDANT

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections have been filed. After carefully considering these documents and making a *de novo* review of the record in this case, it is found that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED that:

1. Defendant's motion for summary judgment [Doc. No. 56] is granted, and this case is dismissed without prejudice.
2. It is certified that, pursuant to 28 U.S.C. § 1915(a)(3), an *in forma pauperis* appeal would not be taken in good faith.

IT IS SO ORDERED this 30th day of October 2013.


UNITED STATES DISTRICT JUDGE