

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

**BOBBY L. FORREST
ADC #90992**

PLAINTIFF

v.

CASE NO. 2:13CV00046 BSM/JTK

**JOHN COLLIER, Jail Administrator,
Cross County Sheriff Department et al.**

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge Jerome T. Kearney [Doc. No. 4] have been reviewed. No objections were filed. After carefully considering these documents and making a *de novo* review of the record, 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. Plaintiff Bobby L. Forrest's complaint [Doc. No. 2] against defendants John Collier, Tommy Hampton, Heath, and J.R. Smith is dismissed for failure to state a claim.
2. Dismissal of the action constitutes a "strike" within the meaning of the Prison Litigation Reform Act. 28 U.S.C. § 1915(g).
3. Pursuant to 28 U.S.C. § 1915(a)(3), it is certified that an *in forma pauperis* appeal from this order and judgment would not be taken in good faith.

An appropriate judgment shall accompany this order.

Dated this 16th day of May 2013.

Brian S. Miller

UNITED STATES DISTRICT JUDGE