

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

**HAROLD HENDERSON
ADC #85533**

PLAINTIFF

v.

Case No. 2:15-cv-00122-KGB-JTR

GAYLAND LAY, Warden, ADC, et al.

DEFENDANTS


ORDER

The Court has received a Recommended Disposition from United States Magistrate Judge Tom Ray (Dkt. No. 4). Plaintiff Harold Henderson filed a motion to extend time to file objections (Dkt. No. 5) and then filed his objections to the Recommended Disposition on September 30, 2015 (Dkt. No 6). The Court grants Mr. Henderson's motion for extension of time (Dkt. No. 5) and considers his objections timely filed. After careful review of Recommended Disposition, the timely objections, and a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

Accordingly, Mr. Henderson's motion to proceed *in forma pauperis* is denied (Dkt. No. 1), and this case is dismissed without prejudice. Mr. Henderson has 30 days to reopen this case by paying the \$400 filing fee in full and filing a motion to reopen.

The Court certifies that an *in forma pauperis* appeal from an Order and Judgment dismissing this case would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

SO ORDERED this 6th day of January, 2015.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE