

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

ZACKEYA PERRY
ADC #156241

PLAINTIFF

V.

NO: 2:16CV00043 BRW/PSH

TIFFANY MUNN *et al*

DEFENDANTS

PROPOSED FINDINGS AND RECOMMENDATION

INSTRUCTIONS

The following Proposed Findings and Recommendation have been sent to United States District Judge Billy Roy Wilson. You may file written objections to all or part of this Recommendation. If you do so, those objections must: (1) specifically explain the factual and/or legal basis for your objection; and (2) be received by the Clerk of this Court within fourteen (14) days of this Recommendation. By not objecting, you may waive the right to appeal questions of fact.

DISPOSITION

On December 12, 2016, plaintiff Zackeya Perry filed a motion to voluntarily dismiss his complaint. Doc. No. 25. For good cause shown, Perry's motion should be granted.

IT IS THEREFORE RECOMMENDED THAT:

1. Plaintiff Zackeya Perry's motion to voluntarily dismiss his complaint, Doc. No. 25, be GRANTED, and Perry's complaint be DISMISSED WITHOUT PREJUDICE.
2. The Court certify 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 13th day of December, 2016.


UNITED STATES MAGISTRATE JUDGE