

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

JASON E. FENNER  
ADC #127315

PLAINTIFF

v.

2:16CV00113-JM

LYLES, Corporal, East Arkansas  
Regional Unit, ADC; *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Defendant Speed's Motion to Dismiss (Doc. No. 13) is GRANTED.
2. Defendant Speed is dismissed from this cause of action with prejudice.
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

DATED this 7<sup>th</sup> day of March, 2017.

  
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JAMES M. MOODY, JR.  
UNITED STATES DISTRICT JUDGE