

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

JOSHUA CUMMINGS

PLAINTIFF

V.

2:17CV00193-JLH-JTK

MIKE BACHARD, et al.

DEFENDANTS

**ORDER**

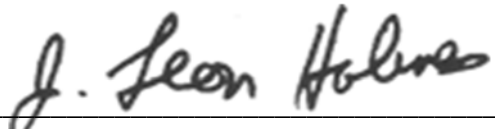
The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Amended Complaint against Defendants is DISMISSED, for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. The Court certifies that an *in forma pauperis* appeal from an Order and Judgment dismissing this action would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3).

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 26th day of January, 2018.

  
\_\_\_\_\_  
J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE