

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

ROBERT D. TURNER

PLAINTIFF

v.

Case No. 3:12-cv-00187 KGB

MIKE ALLEN *et al.*

DEFENDANTS

ORDER

On January 16, 2013, the Court received United States Magistrate Judge H. David Young's Proposed Findings and Recommendations (Dkt. No. 30). The Clerk was directed to send the Proposed Findings and Recommendations to plaintiff Robert Turner at his address of record. On January 24, 2013, the Court received a notice of change of address for Mr. Turner (Dkt. No. 31). On January 29, 2013, the Proposed Findings and Recommendations were returned to the Court because it was "not deliverable as addressed" (Dkt. No. 32). On February 13, 2013, the Court entered an Order directing the Clerk to send the Proposed Findings and Recommendations to Mr. Turner at his current address (Dkt. No. 33). The deadline to respond has passed. Mr. Turner did not file any objections with the Court.


The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. 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. Defendants' motion for summary judgment (Dkt. No. 23) is granted, and Plaintiff's complaint is dismissed with prejudice.

2. The Court certifies that an *in forma pauperis* appeal taken from the Order and Judgment dismissing this action is considered frivolous and not in good faith.

SO ORDERED this 1st day of April, 2013.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE