

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

MATTHEW DWANE BYRD, SR.  
ADC # 148834

PLAINTIFF

v.

No. 3:12-cv-226-DPM-HDY

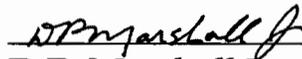
CRITTENDEN COUNTY JAIL *et al.*

DEFENDANTS

ORDER

Byrd has not objected to Magistrate Judge H. David Young's recommendation, *Document No. 8*, that the Court grant Byrd's motion to amend his complaint, but dismiss the amended complaint as untimely. On review for legal error and clear factual error, FED. R. CIV. P. 72(b) (1983 addition to Advisory Committee note), the Court adopts Judge Young's recommendation as its own decision. Byrd's complaint is dismissed with prejudice for failure to state a claim on which relief can be granted. An *in forma pauperis* appeal of this Order and accompanying Judgment would not be taken in good faith.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

8 November 2012