

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

GREGORY ROSE

PLAINTIFF

v.

CASE NO: 3:14CV00036 BSM

DOES et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young have been received, along with the objections thereto. After carefully considering the objections and making a *de novo* review of the record, the following becomes clear: the Magistrate Judge graciously gave plaintiff Gregory Rose's complaint much more credence than it deserves. This is so because the complaint, as well as Rose's grievance that forms the basis of this action, appear to be nothing more than intentional attempts to waste time and resources. Nothing in the record indicates that the defendant ever tried to force religion on Rose; rather, the defendant tried to tell Rose that he could still be a role model if he turned his life around. While Rose repeatedly refrains that the defendant's function as a guard is not to talk about religion, it should also be noted that Rose's function as an inmate is not to file clearly frivolous lawsuits.

Accordingly, the proposed findings and recommended disposition are hereby adopted in their entirety, in all respects.

IT IS THEREFORE ORDERED THAT:

1. Defendant Andrew Harris's motion for judgment on the pleadings [Doc. No.

24] is granted.

2. Plaintiff's complaint is dismissed with prejudice with respect to his claims against Harris, and dismissed without prejudice in all other respects.

3. It is further certified 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 24th day of December 2014.



UNITED STATES DISTRICT JUDGE