

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

DEMARIO DAVIS

PLAINTIFF

v.

Case No. 3:20-cv-00044-LPR

MARTY BOYD, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. (Doc. 8). There have been no objections. After a careful review of the proposed findings and recommendations, as well as of the record, the Court adopts the proposed findings and recommendations in their entirety. Accordingly,

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint against Defendants is **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted. (Doc. 2).
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).

Dated this 3rd day of April 2020.


UNITED STATES DISTRICT JUDGE