

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

**JOSEPH DERRICK HARPER
ADC #153091**

PLAINTIFF

v.

CASE NO: 3:20-cv-00320-JM-JJV

KEVIN MOULDER, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's claims are dismissed without prejudice for failure to state a claim upon which relief may be granted.
2. Plaintiff's Complaint, as amended (Doc. No. 5) is dismissed without prejudice.
3. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations and the accompanying Judgment would not be taken in good faith.

DATED this 16th day of November, 2020.



UNITED STATES DISTRICT JUDGE