

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

**JASON E. FENNER
ADC #127315**

PLAINTIFF

v.

4:08-CV-04164-WRW

GEORGE W. BUSH *et al.*

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Henry L. Jones, Jr. After careful review of the findings and recommendations and the timely objections thereto, as well as a *de novo* review of the record, the Court concludes that the findings and recommendations are approved and adopted in their entirety as this Court's findings in all respects.

Accordingly, Plaintiff's Complaint against Defendants is DISMISSED for failure to state a claim under 28 U.S.C. § 1915A(b)(1). Further, 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.

IT IS SO ORDERED this 23rd day of December, 2008.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE