

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

FRANK W. ASKEW, JR.
ADC #082276

PLAINTIFF

V.

4:09-cv-00058-JMM-JJV

RICHARD SCOTT, Deputy, Pulaski County
Detention Facility; EDDIEMAE BANKS,
Classification Officer, Pulaski County Detention
Facility; MICHELLE BAILEY CONNERS,
Classification Officer, Pulaski County Detention
Facility; and DONNA SPENCER, Nurse,
Pulaski County Detention Facility

DEFENDANTS

ORDER

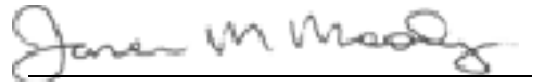
The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and the parties' objections. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

In his Objections, Plaintiff also requests a transcript of the evidentiary hearing held on December 1, 2009. However, a transcript of this hearing is not available.

IT IS THEREFORE ORDERED that Plaintiff's Complaint against Defendants is DISMISSED with prejudice, and all pending motions are DENIED as moot.

The Court FURTHER CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and Judgment would not be taken in good faith.

DATED this 5th day of January , 2010.


UNITED STATES DISTRICT JUDGE