

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

**STERLING BOLDEN
ADC # 116552
PCRFD # 6026-09*1**

PLAINTIFF

v.

4:09-cv-00720-BSM-JJV

**CARL JOHNSON, Dr., Pulaski County Regional
Detention Facility; and CHARLES “DOC”
HOLIDAY, Pulaski County Regional
Detention Facility**

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 are, approved and adopted in their entirety as this court’s findings in all respects.

IT IS THEREFORE ORDERED that:

1. This action is DISMISSED with prejudice, and the dismissal of this action counts as a “strike” for purposes of 28 U.S.C. § 1915(g).¹
2. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any order adopting these recommendations would not be taken in good

¹ Title 28 U.S.C. § 1915(g) provides that: “In no event shall a prisoner bring a civil action or appeal a judgment in a civil action under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted”

faith.

DATED this 13th day of October, 2009.

Brian S. Miller

UNITED STATES DISTRICT JUDGE