

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

**KEITH D. BREWER,  
ADC #143434**

**PLAINTIFF**

**V.**

**CASE NO. 4:09CV00804 WRW/BD**

**BRUCE PENNINGTON, et al.**

**DEFENDANTS**

**ORDER**

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the Recommended Disposition, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Plaintiff's Complaint (docket entry #2) is DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915A. The dismissal will count as a "strike" for purposes of 28 U.S.C. § 1915(g). The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action would be frivolous and not taken in good faith.

IT IS SO ORDERED this 17th day of November, 2009.

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