

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

ROBERT LEE SANDERS
ADC # 131332

PLAINTIFF

v.

No. 4:09CV00811 JLH-JJV

LARRY NORRIS, Director, Arkansas Department of Correction; WENDY KELLY, Deputy Director, Arkansas Department of Correction; DALE REED, Warden, Ouachita River Correctional Facility, Arkansas Department of Correction; MELUSIA, Sgt., Ouachita River Correctional Facility, Arkansas Department of Correction; FORD, Correctional Officer, Ouachita River Correctional Facility, Arkansas Department of Correction; VOSS, Sgt., Ouachita River Correctional Facility, Arkansas Department of Correction; WOMBO, Sgt., Ouachita River Correctional Facility, Arkansas Department of Correction; BURLS, Corporal, Ouachita River Correctional Facility, Arkansas Department of Correction; and CAMPBELL, Deputy Warden, Ouachita River Correctional Facility, Arkansas Department of Correction

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.

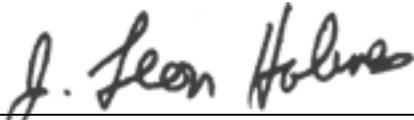
IT IS THEREFORE ORDERED that this action is DISMISSED, and dismissal of this action shall count as a "strike" for purposes of 28 U.S.C. § 1915(g).¹ All pending motions are DENIED

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

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 1st day of December, 2009.


UNITED STATES DISTRICT JUDGE

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”