

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

MONTEL MURRY

PLAINTIFF

v.

4:10CV00165WRW/HLJ

B. TOWNSEND, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Henry L. Jones, Jr. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff's complaint against defendants is hereby DISMISSED for failure to state a claim, and that this dismissal constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g). All pending motions in this case are DENIED as MOOT.

This Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal taken from this decision is not in good faith.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 13th day of May, 2010.

/s/Wm. R. Wilson, Jr.

UNITED STATES DISTRICT JUDGE