

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

CHARLES EDDIE FOSTER, JR.,
ADC #147301

Plaintiff,

vs.

BOYD TACKETT, JR.

Defendants.

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No. 4:10-cv-01416- SWW-JJV

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 Mr. Foster's Complaint (Doc. No. 2) is DISMISSED with prejudice. The requested relief is denied and any pending motions are denied as moot. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from the Judgment and this Order adopting the recommendations would not be taken in good faith. This dismissal should be counted as a "strike" within the meaning of 28 U.S.C § 1915(g).

DATED this 10th day of November, 2010.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE