

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

TINA MARIE EMERSON,
ADC #710724

PLAINTIFF

v.

4:11-cv-00220-JMM-JJV

STATE OF ARKANSAS,

DEFENDANT

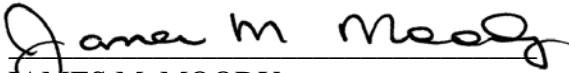
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record¹, 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. Plaintiff's Complaint (Doc. No. 2) is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.
2. All pending motions are denied as moot.
3. Dismissal of Plaintiff's Complaint constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(G).

IT IS SO ORDERED this 12th day of April, 2011.



JAMES M. MOODY
UNITED STATES DISTRICT JUDGE

¹The Court has reviewed the pleadings filed by Plaintiff since the filing of the Proposed Findings and Recommended Disposition, docket #'s 12, 13, 14, 15, 16, 17, 18, 19 and 20. The pleadings and argument do not alter the findings of the Court and the motions have no merit.