

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

TURRELLE DANNAIL GIVENS

PLAINTIFF

v.

4:11-cv-00472-BRW

KARL BYRD, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint against Defendants is DISMISSED for failure to state a claim; and
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).

The Court certifies that an *in forma pauperis* appeal from an Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 13th day of October, 2011.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE