

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

JOHN W. MAGNESS,
ADC #150340

PLAINTIFF

v.

NO: 4:14CV00180 JLH

DEXTER PAYNE, *et al.*

DEFENDANTS

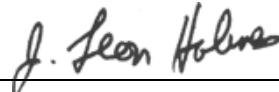
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted as this Court's findings:

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief may be granted.
2. Plaintiff's motion for leave to amend is GRANTED. Document #6. Plaintiff must file his amended complaint within thirty (30) days of the entry of this Order.

DATED this 24th day of April, 2014.



UNITED STATES DISTRICT JUDGE