

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

LARRY IRWIN FOSTER, JR.
ADC #158728

PLAINTIFF

V.

NO: 4:15CV00002 BRW

TIFFANY EICHLER

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerry W. Cavaneau. 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:

1. Defendant's motion to dismiss (docket entry #10) is GRANTED, and Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. Plaintiff's motion for settlement (docket entry #14) is DENIED AS MOOT.
3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 20th day of April, 2015.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE