

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

**DAVID WATERS**

**PLAINTIFF**

**VS.**

**4:15-CV-00401-BRW-JJV**

**FAULKNER COUNTY SHERIFF'S OFFICE**

**DEFENDANT**

**ORDER**

I have reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe Volpe (Doc. No. 4). No objections have been filed and the time for doing so has passed. After careful consideration, I approve and adopt as my findings in all respects the Proposed Findings and Recommended Disposition in its entirety.

Accordingly, Plaintiff's Complaint (Doc. No. 2) is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.<sup>1</sup>

This dismissal counts as a "strike" under 28 U.S.C. § 1915(g). I certify that an in forma pauperis appeal from this Order would not be taken in good faith.<sup>2</sup>

IT IS SO ORDERED this 24th day of July, 2015.

/s/Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> *Ketchum v. City of West Memphis, Ark.*, 974 F.2d 81, 82 (8th Cir. 1992) (holding that department of local governments are not amenable to suit under Section 1983).

<sup>2</sup> 28 U.S.C. § 1915(a)(3).