

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

DEXTER HARMON, ADC # 152483

PLAINTIFF

VS.

4:16CV00325-BRW

**LESLIE RUTLEDGE, Attorney General,
State of Arkansas; et al.**

DEFENDANTS

ORDER

I have 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 record, I approve and adopt the Proposed Findings and Recommended Disposition in all respects.

Accordingly, Defendants' Motion to Dismiss (Doc. No. 20) is GRANTED. This case is DISMISSED without prejudice for a lack of jurisdiction. Plaintiff's Motion for Service (Doc. No. 25) is DENIED AS MOOT.

I certify, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dismissal of this action will **not** count as a "strike" for purposes of 28 U.S.C. § 1915(g) given the somewhat unique and complex issues involved.

IT IS SO ORDERED this 30th day of August, 2016.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE