

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

THOMAS D. LANE,
ADC #160327

PLAINTIFF

V.

4:16CV00625-SWW-JTK

SCOTT HUFFMAN

DEFENDANT

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. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint against Defendant is DISMISSED for failure to state a claim.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g).
3. The Court certifies that an in forma pauperis appeal from this Order and accompanying Judgment 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 29th day of September, 2016.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE