

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

**JOSH HAYNES,
ADC # 139661**

PLAINTIFF

VS.

4:16CV00890-BRW

**EDWARDS, Major, White
County Detention Center; *et al.***

DEFENDANTS

ORDER

I have reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, I approve and adopt the Proposed Findings and Recommended Disposition in all respects.

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

Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. § 1915(g).

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.

IT IS SO ORDERED this 8th day of February, 2017.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE