

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

**ANTHONY MAHONEY,
ADC #139513**

PLAINTIFF

V.

CASE NO. 4:17-CV-00280 SWW/BD

HURD and LOPEZ

DEFENDANTS

ORDER

The Court has received a Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere. The parties have not filed objections. After careful consideration of the Recommendation, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

Mr. Mahoney’s claims are DISMISSED, without prejudice, based on his failure to state a constitutional claim. This dismissal counts as a “strike” for purposes of 28 U.S.C. § 1915(g) and this Court certifies that an *in forma pauperis* appeal of this dismissal would be frivolous and not taken in good faith.

IT IS SO ORDERED, this 29th day of June, 2017.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE