

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

SAM EDWARD THURMOND, SR.
ADC #127149

PLAINTIFF

V.

CASE NO. 4:17CV00314 JM

DELLWYN ELKINS, *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome T. Kearney. After a careful review of Mr. Thurmond's timely objections, and upon a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that

1. Plaintiff's claims against Defendants Ryan M. Britton and Sarah E. Ault be DISMISSED without prejudice for failure to state a claim upon which relief may be granted.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting this Recommendation would not be taken in good faith.

IT IS SO ORDERED this 13th day of November, 2017.


UNITED STATES DISTRICT JUDGE