

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

EARNEST T. FRIAR, JR.
ADC #660122

PLAINTIFF

V.

4:17CV00486 SWW/JTR

WRIGHTSVILLE UNIT

DEFENDANT

ORDER

The Court has reviewed the Recommendation submitted by United States Magistrate Judge J. Thomas Ray and what can be construed as objections to the recommendation. See Doc.#6. After carefully considering these documents and making a *de novo* review of the record in this case, the Recommendation is approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. The Complaint (Doc. 2) is DISMISSED WITHOUT PREJUDICE for failing to state a claim upon which relief may be granted.
2. The dismissal is a "STRIKE," as defined by 28 U.S.C. § 1915(a)(3).
3. It is CERTIFIED, 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.

Dated this 27th day of September, 2017.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE