

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

RICKY ASHLEY

PLAINTIFF

v.

CASE NO. 4:18-CV-00497 BSM

**JAMES M. MOODY, United States
District Judge, Eastern District of
Arkansas; and JAMES M. MOODY, JR.,
United States District Judge, Eastern
District of Arkansas**

DEFENDANTS

ORDER

The proposed findings and recommendations submitted by United States Magistrate Judge Joe J. Volpe [Doc. No. 3] have been received. No objections were filed. After careful review of the record, the proposed findings and recommendations are adopted in their entirety. Accordingly, Ricky Ashley's application to proceed without prepayment of fees and affidavit [Doc. No. 1] is denied, and his complaint [Doc. No. 2] is dismissed with prejudice. This dismissal constitutes a "strike" under 28 U.S.C. section 1915(g), and it is certified, pursuant to 28 U.S.C. section 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

Furthermore, given Ashley's history of frivolous filings and his four prior strikes under 28 U.S.C. section 1915(g), Ashley is hereby enjoined from filing any civil actions in the United States District Court for the Eastern District of Arkansas without first obtaining leave of court. In seeking leave to file in this district, Ashley must certify that the claim or claims he wishes to present are new claims never before raised or disposed of on the merits

by any federal court. Ashley must also certify that the claim or claims are not frivolous, malicious, or brought in bad faith. Additionally, Ashley must cite or affix a copy of this order to any motion for leave to file a claim. Failure to strictly comply with the terms of this injunction will be sufficient grounds for summarily denying leave to file or dismissing any action filed.

IT IS SO ORDERED this 29th day of August 2018.



UNITED STATES DISTRICT JUDGE