

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

**SYLVESTER O. BARBEE,
ADC #131311**

PLAINTIFF

v.

4:20CV00123-BRW-JTK

DOC HOLLIDAY, et al.

DEFENDANTS

ORDER

I have received proposed findings and recommendations (Doc. No. 8) from United States Magistrate Judge Jerome T. Kearney. After a review of the proposed findings and recommendations, the Amended Complaint, and the timely objections, as well as a *de novo* review of the record, I adopt the proposed findings and recommendations in all respects.

Accordingly, Plaintiff's Complaint against Defendants is **DISMISSED** without prejudice, for failure to state a claim upon which relief may be granted.

Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).

I certify that an *in forma pauperis* appeal from the Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

An appropriate Judgment will accompany this Order.

IT IS SO ORDERED this 26th day of March, 2020.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE