

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

**ELVIN SCOTT
ADC #158250**

PLAINTIFF

v.

Case No. 4:20-cv-00833-LPR

HEFLIN, et al.

DEFENDANTS

ORDER

The Court has received and reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. (Doc. 4). Plaintiff Elvin Scott did not file any objections to this Recommendation. After careful review of the Recommendation and the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's claims are DISMISSED without prejudice for failure to state a claim upon which relief may be granted.
2. Plaintiff's Complaint (Doc. 2) is DISMISSED.
3. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations and the accompanying Judgment would not be taken in good faith.

DATED this 15th day of September 2020.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE