

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

JEREMY JOHNSTON

PLAINTIFF

v.

No: 4:20-cv-01129-LPR

BILL GILKY

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommendation submitted by United States Magistrate Judge Patricia S. Harris. (Doc. 6). No objections have been filed. After a careful and *de novo* review of the Proposed Findings and Recommendation and record, the Court concludes that the Proposed Findings and Recommendation 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. Johnston's claims are dismissed without prejudice for failure to state a claim upon which relief may be granted.
2. Dismissal of this action counts as a "strike" within the meaning of 28 U.S.C. § 1915(g).
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from the order adopting this recommendation or the accompanying judgment would not be taken in good faith.

Dated this 28th day of April 2021.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE