Allen v. Emberton et al Doc. 11

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

MICHAEL EDWARD ALLEN, ADC #176724 **PLAINTIFF**

V.

4:20CV01168-BRW-JTK

LUCAS EMBERTON, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

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

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

3. The Court certifies that an <u>in forma pauperis</u> appeal from an 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 20th day of January, 2021.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

1