

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

BRYAN O'NEAL WORMLEY
#117888

PLAINTIFF

v.

No. 4:23-CV-00579-LPR

BAEOSK, Deputy Officer,
Pulaski County Detention Center

DEFENDANT

ORDER

The Court has reviewed the Recommended Disposition (RD) submitted by United States Magistrate Judge Joe J. Volpe.¹ No objections have been filed, and the time for doing so has expired. After a *de novo* review of the RD, along with careful consideration of the case record, the Court hereby approves and adopts the RD in its entirety as this Court's findings and conclusions in all respects.

Defendant Baeosk's Motion to Dismiss (Doc. 25) is GRANTED.² Plaintiff's claims against Defendant Baeosk are DISMISSED without prejudice for lack of prosecution for each reason set forth in the RD. The Clerk is directed to close this case. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order or the accompanying Judgment would not be taken in good faith.

IT IS SO ORDERED this 5th day of February 2024.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE

¹ Doc. 27.

² There is one small exception—although Defendant sought dismissal with prejudice, the Court adopts Judge Volpe's recommendation to dismiss this case without prejudice. Dismissal with prejudice seems too harsh a remedy in these particular circumstances.