

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

**CHARLES CHERRY
#169745**

PLAINTIFF

v.

No. 4:24-CV-00172-LPR

ERIC HIGGINS, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommended Disposition (RD) submitted by United States Magistrate Judge Edie R. Ervin (Doc. 46). 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 entire case record, the Court hereby approves and adopts the RD in its entirety as this Court's findings and conclusions in all respects.

Accordingly, Plaintiff's Complaint (Doc. 2) and Amended Complaint (Doc. 6) are DISMISSED without prejudice for failure to prosecute this lawsuit for the various reasons set out in paragraph 1 of the RD's conclusion. Defendants' Motion for Summary Judgment (Doc. 34) is DENIED as moot. The Clerk is instructed 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 25th day of September 2024.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE