

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DARIUS HARRIS
ADC # 118656

PLAINTIFF

v.

No. 5:07CV00312 JLH

KIM LUCKETT, Deputy Security Warden, Varner Unit,
Arkansas Department of Correction; BROOKS PARKS,
Asst. Warden, Varner Unit, Arkansas Department of Correction;
and GRANT HARRIS, Asst. Warden, Varner Unit,
Arkansas Department of Correction

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge H. David Young . No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

- 1) Defendants' Motions to Dismiss (docket entries ## 36 & 38) are GRANTED;
- 2) Plaintiff's claims against Defendants Lockett, Parks, and Harris are DISMISSED WITH PREJUDICE;
- 3) The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith; and
- 4) Any pending motions are DENIED as moot.

DATED this 3rd day of October, 2008.



UNITED STATES DISTRICT JUDGE