

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

LARRY WAYNE JONES  
ADC #70147

PLAINTIFF

V.

NO: 5:08CV00195 BSM

ARKANSAS DEPARTMENT  
OF CORRECTION *et al.*

DEFENDANTS

**ORDER**

The court has reviewed the Proposed Findings and Partial Recommended 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 Partial Recommended 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' motion for summary judgment (docket entry #35) is GRANTED, and plaintiff's complaint is DISMISSED WITH PREJUDICE.
2. The court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 13th day of April, 2009.

  
UNITED STATES DISTRICT JUDGE