

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

TERRY PROCTOR
ADC # 87410

PLAINTIFF

v.

No. 5:08CV00247 JLH-JJV

WENDY KELLEY, Deputy Director,
Arkansas Department of Correction, *et al.*

DEFENDANTS

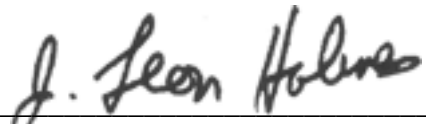
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After carefully considering Plaintiff's objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and 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 that the Defendants' motions for summary judgment (Doc. Nos. 129 & 133) are GRANTED and this action is DISMISSED. All pending motions are DENIED as moot.

IT IS FURTHER ORDERED that the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

DATED this 9th day of April, 2010.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE