

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

CHARLES ASHFORD  
ADC #133975

PLAINTIFF

V.

NO: 5:09CV00023 JMM

RODERICK JOHNSON *et al.*

DEFENDANTS

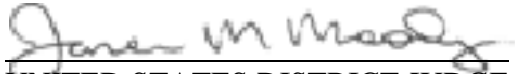
**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the 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:

1. Defendants' motion to dismiss (docket entry #35) is GRANTED, and Plaintiff's complaint is DISMISSED WITH PREJUDICE for failure to prosecute.
2. All pending motions are DENIED AS MOOT.
3. 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 16 day of December, 2009.

  
UNITED STATES DISTRICT JUDGE