

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

ROOSEVELT BRAZELL  
ADC # 100810

PLAINTIFF

V.

5:09CV00059 JMM

GERALD ROBINSON *et al.*

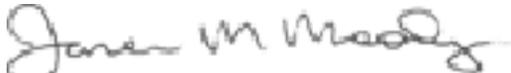
DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and 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 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 this action is DISMISSED, and dismissal of this action shall count as a "strike" for purposes of 28 U.S.C. § 1915(g).<sup>1</sup>

The Court FURTHER CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and Judgment would not be taken in good faith.

DATED this 13th day of May, 2009.

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Title 28 U.S.C. § 1915(g) provides that: "In no event shall a prisoner bring a civil action or appeal a judgment in a civil action under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted . . . ."