

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

**MANUEL RODRIGUEZ
#A070766210**

PLAINTIFF

V.

NO: 5:09CV00063 BSM

TAMMY COURTNEY

DEFENDANT

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:

1. Defendant's motion for summary judgment (Doc. No. 33) 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 14th day of December, 2009.



UNITED STATES DISTRICT JUDGE