

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

**VERNIST McCRANEY**  
**ADC #138122**

**PLAINTIFF**

**v.**

**CASE NO. 5:09cv00126 BSM**

**JEFF SPRADLIN *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:

1. The motion for summary judgment filed by defendants Jeff Spradlin and Ruloff Turner [Doc. No. 20] is GRANTED, and plaintiff's complaint is DISMISSED WITHOUT 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 5th day of January, 2010.

  
UNITED STATES DISTRICT JUDGE