

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

**DAVID WILLIAMS
ADC # 78730**

PLAINTIFF

VS.

CASE NO. 5:09CV00163-JMM-BD

SCOTT HORNER

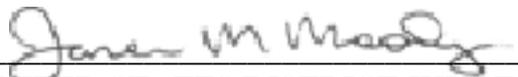
DEFENDANT

ORDER

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the Recommended Disposition, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Plaintiff's Complaint (docket entry #2) is DISMISSED with prejudice, with the dismissal counting as a "strike" for purposes of 28 U.S.C. § 1915(g). The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action would be frivolous and not in good faith.

IT IS SO ORDERED, this 13 day of July, 2009.


UNITED STATES DISTRICT JUDGE