

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

LEE MADDEN  
ADC # 136534

PLAINTIFF

v.

No. 5:09CV00288 JLH-JJV

LARRY NORRIS, Director, Arkansas Department of Correction; HUNTER, Ms., Nurse, Varner Unit, Arkansas Department of Correction; WHITE, Ms., Sgt., Varner Unit, Arkansas Department of Correction; JACKSON, Corporal, Varner Unit, Arkansas Department of Correction; COMRADE, Sgt., Varner Unit, Arkansas Department of Correction; STATE OF ARKANSAS; JEFFERSON COUNTY; CITY OF GRADY; VARNER UNIT, Lincoln County, Arkansas

DEFENDANTS

**ORDER**

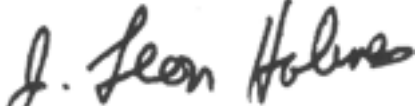
The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff's case is DISMISSED WITHOUT PREJUDICE and his Motion for Leave to Appeal *In Forma Pauperis* is DENIED. Should Plaintiff, within ten (10) days of the date of entry of this Order, submit the statutory filing fee of \$350.00 to the Clerk of the Court, noting the case style and number, his case may be re-opened. All pending motions are DENIED as moot.

2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith.

DATED this 10th day of November, 2009.

  
UNITED STATES DISTRICT JUDGE