

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

**DENNIS JAMES SMITH, SR.,
ADC #120631**

PLAINTIFF

v.

5:09CV00307BSM/HLJ

GEORGE EDWARD BARNES, SR., et al.

DEFENDANTS

ORDER

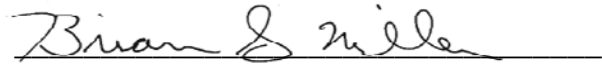
The Court has received proposed findings and recommendations from United States Magistrate Judge Henry L. Jones, Jr. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that pursuant to 28 U.S.C. §1915A(b)(1), plaintiffs' complaint against defendant is DISMISSED for failure to state a claim.

The Court hereby certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal taken from this order and the accompanying judgment dismissing this action is considered frivolous and not in good faith.

An appropriate judgment shall accompany this order.

IT IS SO ORDERED this 22nd day of December, 2009.


UNITED STATES DISTRICT JUDGE