

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

**FREDERICK PENNINGTON,
ADC #71305**

PLAINTIFF

v.

CASE NO. 5:09cv00334 BSM/BD

ROLAND ANDERSON, et al.

DEFENDANTS

ORDER

The court has received the recommended disposition from Magistrate Judge Beth Deere. After carefully reviewing the recommended disposition, the timely objections received thereto, and reviewing the record *de novo*, it is concluded 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 is DISMISSED without prejudice under Local Rule 5.5(c)(2) for failure to comply with the court's order of October 30, 2009.

IT IS SO ORDERED, this 6th day of January, 2010.



UNITED STATES DISTRICT JUDGE