

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

HILLIARD NELSON
ADC #95169

PLAINTIFF

V.

5:09CV00396 SWW/JTR

SKIPPY LEEK,
Desha County Circuit Court Clerk

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, 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 Motion for Summary Judgment (docket entry #21) is DENIED.
2. Defendant's Motion for Summary Judgment (docket entry #22) is GRANTED, and this case is DISMISSED, WITH PREJUDICE.
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 21st day of December, 2010.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE