

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

**CHARLES ASHFORD
ADC #133975**

PLAINTIFF

V.

CASE NO. 5:10CV00009 BSM-BD

R. JOHNSON

DEFENDANT

ORDER

The court has received the recommended disposition from Magistrate Judge Beth Deere. No objections have been filed. After carefully reviewing the recommended disposition and reviewing the record *de novo*, it is concluded that the recommended disposition should be, and hereby is, approved and adopted in all respects in its entirety.

Plaintiff's complaint (Doc. No. 2) is DISMISSED WITH PREJUDICE, and his motion for leave to proceed *in forma pauperis* (Doc. No. 1) is DENIED as moot. In addition, this dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g), and it is certified that an *in forma pauperis* appeal taken from this order and judgment dismissing this action would be frivolous and not taken in good faith.

IT IS SO ORDERED, this 23rd day of February, 2010.



UNITED STATES DISTRICT JUDGE