

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

**CHARLES RANDALL DAVIS
ADC # 84756**

PLAINTIFF

V. 5:10cv00020 BSM-JJV

LARRY NORRIS, Former Director, Arkansas Department of Correction; MIRIAM LESTER, Coordinator of Centralized Records, Arkansas Department of Correction; BENNY MAGNESS, Chairman, Arkansas Board of Correction; LEROY BROWNLEE, Arkansas Board of Correction; MARY PARKER, Arkansas Board of Correction; ALONZO JILES, Arkansas Board of Correction; KELLY PACE, Arkansas Board of Correction; DREW BAKER, Arkansas Board of Correction; JOHN DOE, Director, Arkansas Department of Correction; and KEN JONES, Arkansas Board of Correction

DEFENDANTS

ORDER

The court has received the recommended disposition submitted by United States Magistrate Judge Joe J. Volpe and the objections submitted by plaintiff Charles Randall Davis. After carefully reviewing the recommended disposition, the objections, 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 is DISMISSED WITHOUT PREJUDICE for failure to state a claim. Dismissal of this action constitutes a "strike" for purposes of 28 U.S.C. § 1915(g). It is certified, 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 22nd day of April, 2010.

Brian S. Miller

UNITED STATES DISTRICT JUDGE