

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

**WINSTON HOLLOWAY,  
ADC #67507**

**PLAINTIFF**

**v.**

**CASE NO. 5:10CV00067 BSM/JJV**

**REX GAYLON LAY, Warden,  
Cummins Unit, Arkansas Department of Correction;  
and WILLIAM STRAUGHN, Assistant Warden,  
Cummins Unit, Arkansas Department of Correction**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended disposition submitted by United States Magistrate Judge Joe J. Volpe and the filed objections have been reviewed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' motion for summary judgment [Doc. No. 59] is GRANTED.
2. Plaintiff's amended complaint is DISMISSED with prejudice.
3. It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order and accompanying judgment would not be taken in good faith.

Dated this 21st day of November 2011.



UNITED STATES DISTRICT JUDGE