

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

EDGAR L. GUNTHER  
ADC #100017

PLAINTIFF

V.

5:10CV00139 JMM/JTR

JAMES BANKS,  
Former Warden, Tucker Unit, et al.

DEFENDANTS

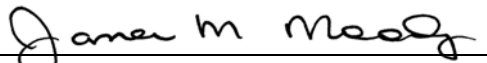
**ORDER**

The Court has reviewed the Proposed Findings and Recommended Partial 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 Partial 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 a Temporary Restraining Order and/or Preliminary Injunction (docket entry #51) is DENIED.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 10th day of November, 2010.

  
UNITED STATES DISTRICT JUDGE