

**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.

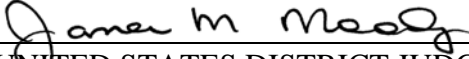
The Court notes Plaintiff's complaints about his failure to receive documents filed in his case. However, the documents that Plaintiff says he has not received are either pleadings that Plaintiff has filed with the Court or certificates of mailing by the Court Clerk. The Clerk is directed to provide the Plaintiff with a copy of the docket in this case so that he can be assured he has received all of the pertinent documents.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Second Motion for a Preliminary Injunction (docket entry #71) 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 15th day of December, 2010.


UNITED STATES DISTRICT JUDGE