

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

BRANDON FRITTS
ADC #120999

PLAINTIFF

V.

NO: 5:10CV00171 SWW

RAY HOBBS *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended 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. Defendants' motion to dismiss (docket entry #64) is GRANTED, and Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 22nd day of June, 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE