

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

JACKIE LEE WILLIAMS
ADC #093224

PLAINTIFF

V.

5:10CV00284 JMM/JTR

BARRY M. BEALER,
Lieutenant, Varner Unit, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. The Court extended the Plaintiff's time in which to file objections, however, no timely objections have been filed. After careful review, 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. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, this case is **DISMISSED, WITHOUT PREJUDICE**, for failing to state a claim on which relief may be granted.
2. Plaintiff's Motion for a Jury Trial (docket entry #5) is **DENIED, AS MOOT**.
3. Dismissal of this action **CONSTITUTES** a "strike," as defined by 28 U.S.C. § 1915(g).
4. The Court **CERTIFIES**, 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 30th day of November, 2010.


UNITED STATES DISTRICT JUDGE