

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

BERRY ISAAC MORROW
ADC #143825

PLAINTIFF

V.

NO: 5:10CV00286 JMM

ARKANSAS DEPARTMENT
OF CORRECTION *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 filed¹. 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. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE with respect to his claims against the Doe rider, Doe guards, and Doe nurse; and DISMISSED WITH PREJUDICE with respect to his claims against all other Defendants.
2. All pending motions are DENIED.
3. 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.

¹Plaintiff was granted two extensions of time in which to file his objections. In the Court's Order granting Plaintiff's second motion for extension of time, the Court cautioned Plaintiff that no further extensions would be granted. Plaintiff failed to file timely objections and instead filed a third motion for extension of time, (DE 29). This motion is denied. Plaintiff claims that he does not have adequate supplies and resources to respond to the Proposed Findings and Recommended Disposition. Plaintiff appears to have adequate resources as he has been able to file three (3) motions for extension of time during the same time period.

DATED this 2nd day of May, 2011.


UNITED STATES DISTRICT JUDGE