

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

FREDERICK PENNINGTON,
ADC #71305

PLAINTIFF

v.

No. 5:11CV00073 JLH-JTK

WILLIAM STRAUGHN, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

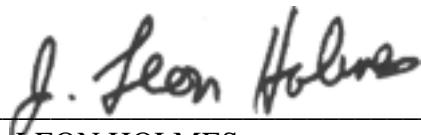
IT IS, THEREFORE, ORDERED that this Court's April 1, 2011 Order granting Plaintiff's Motion to Proceed In Forma Pauperis is REVOKED, and Plaintiff's Complaint is DISMISSED without prejudice.

Should Plaintiff wish to continue this case, he shall submit the statutory filing fee of \$350 to the Clerk, noting the above case style and number within ten (10) days of the date of this Order, along with a motion to reopen the case. Upon receipt of the motion and full payment, the case will be reopened.

IT IS FURTHER ORDERED that any monies deducted from Plaintiff's inmate account pursuant to the April 1, 2011 Order, be refunded to Plaintiff's account.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 26th day of May, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE