

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

**ERIC C. BURGIE
ADC #120956**

PLAINTIFF

v.

CASE NO. 5:11CV00118 BSM/HDY

RAY HOBBS, et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young and the filed objections have been reviewed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' motion for summary judgment [Doc. No. 64] is GRANTED, and Burgie's complaint is DISMISSED WITH PREJUDICE with respect to all his claims under federal law.
2. Burgie's complaint is DISMISSED WITHOUT PREJUDICE with respect to any state law claim he raised.
3. All other pending motions are DENIED AS MOOT.
4. It is certified that an *in forma pauperis* appeal taken from this order and accompanying judgment dismissing this action would be considered frivolous and not taken in good faith

Dated this 19th day of July 2012.

Brian S. Miller

UNITED STATES DISTRICT JUDGE