

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

TOMMY RAY ELPS, JR,
ADC #144914

PLAINTIFF

v.

No. 5:11CV00165 JLH/JTR

JACKIE LEWIS, Program Director,
Dermott Juvenile Treatment Facility, *et al.*

DEFENDANTS

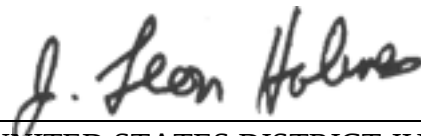
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No 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. The Motion to Withdraw (docket entry #9) is DENIED, as improperly filed.
2. Elps' Motion to Voluntarily Dismiss (docket entry #6) is GRANTED, and this case is DISMISSED WITHOUT PREJUDICE.
3. Elps' Application to Proceed *In Forma Pauperis* (docket entry #1) and his Motion for Appointment of Counsel (docket entry #4) are DISMISSED AS MOOT.
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 9th day of August, 2011.


UNITED STATES DISTRICT JUDGE