

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

RODNEY WILLIAMS
ADC #79899

PLAINTIFF

v.

CASE NO. 5:11CV00224 BSM

DAVID WHITE, Warden
Arkansas Department of Correction et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young [Doc. No. 6] and the filed objections [Doc. No. 8] 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. Williams's complaint is dismissed for failure to state a claim upon which relief may be granted.
2. Williams's complaint is dismissed with prejudice with respect to his claims made in connection with his August 14, 2009, hearing, and dismissed without prejudice with respect to his claims made in connection with his March 11, 2011, hearing.
3. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
4. All pending motions are denied.
5. It is certified that an *in forma pauperis* appeal taken from the order and

judgment dismissing this action is considered frivolous and not in good faith.

An appropriate judgment shall accompany this order.

IT IS SO ORDERED this 20th day of December 2011.


UNITED STATES DISTRICT JUDGE