

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

**TIMOTHY LEE UNGARO
ADC # 137198**

PLAINTIFF

V.

CASE NO. 5:11CV00251 SWW/BD

RAY HOBBS

DEFENDANT

ORDER

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. No objections have been filed. After careful review of the recommendation, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects

Mr. Ungaro's claims are DISMISSED, without prejudice. The Court certifies that an *in forma pauperis* appeal would be frivolous and not taken in good faith.

IT IS SO ORDERED, this 2nd day of December, 2011.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE