

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

JASON WHITE, ADC #144276

PLAINTIFF

v.

No. 5:12CV00024 JLH-JJV

S. BROWN, Correction Officer, Varner Unit,
Arkansas Department of Correction; *et al.*

DEFENDANTS

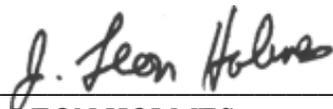
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted as this Court's findings.

IT IS, THEREFORE, ORDERED that:

1. The complaint is DISMISSED without prejudice for failure to state a claim upon which relief can be granted under § 1983.
2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and Judgment would not be taken in good faith.

DATED this 27th day of November, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE