

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

**ED SMITH
ADC # 89143**

PLAINTIFF

V.

CASE NO. 5:12CV00029 SWW/BD

ESSIE M. CLAY, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommended Disposition (“Recommendation”) received from Magistrate Judge Beth Deere. No objections to the Recommendation have been filed. The Recommendation should be, and hereby is, approved and adopted in all respects.

Mr. Smith’s claims are DISMISSED, with prejudice. This dismissal will count as a “strike” for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal of this dismissal would be frivolous and would not be taken in good faith.

IT IS SO ORDERED, this 8th day of February 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE