

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

**KENNETH RAY PITTS
ADC# 85938**

PLAINTIFF

v.

CASE NO. 5:12CV00066 BSM

**WILLIAM ALBERT WARREN, Doctor,
Cummins Unit, Arkansas Department of Correction et al.**

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge Jerome T. Kearney [Doc. No. 4] and the filed objections [Doc. No. 7] 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. Plaintiff Kenneth Ray Pitts's motion to proceed *in forma pauperis* [Doc. No. 1] is denied and his complaint [Doc. No. 2] is dismissed without prejudice.
2. Should Pitts wish to continue this case, he is required to submit the statutory filing fee of \$350.00 to the Clerk, noting the above case style and number within ten (10) days of the date of this Order, together with a motion to reopen the case. Upon receipt of the motion and full payment, the case will be reopened.

An appropriate judgment shall accompany this order.

IT IS SO ORDERED this 16th day of April 2012.

Brian S. Miller

UNITED STATES DISTRICT JUDGE