

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

ZEAVON MONTREAL IRBY

PLAINTIFF

CASE NO. 5:12CV00099 BSM/BD

DANIEL CANTWELL, et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition [Doc. No. 29] submitted by United States Magistrate Judge Beth Deere have been reviewed. No objections have been filed. After careful consideration and a *de novo* review of the record, it is found that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED THAT:

1. Defendants Daniel Cantwell and Lee Elkins's motion for summary judgment [Doc. No. 23] is granted, and plaintiff Zeavon Irby's claims against them are dismissed with prejudice.
2. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

Dated this 19th day of October 2012.



UNITED STATES DISTRICT JUDGE