

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

JONATHAN MOORE, ADC #143334

PLAINTIFF

v.

CASE NO. 5:12CV00212 BSM/JTR

**JERRY ATKINS, Correctional Officer; and
MICHAEL MOSELEY, Lieutenant
Cummins Unit, Arkansas Department of Correction**

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections have been filed. After carefully considering this document 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. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, this case is **DISMISSED, WITHOUT PREJUDICE**, for failure to state a claim.
2. Dismissal of this action **CONSTITUTES** a “strike,” as defined by 28 U.S.C. § 1915(g).
3. It is **CERTIFIED**, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order and the accompanying judgment would not be taken in good faith.

Dated this 6th day of August 2012.


UNITED STATES DISTRICT JUDGE