

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

**FREDERICK PENNINGTON,
ADC # 71305**

PLAINTIFF

v.

CASE NO. 5:12CV00227 BSM/JTK

ADAM J. BLACKSTOCK, et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge Jerome T. Kearney and the filed objections 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 Frederick Pennington's motion to proceed *in forma pauperis* [Doc. No. 1] be denied.
2. Should Pennington wish to continue this case, he is required to submit the statutory filing fee of \$350 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 this case. Upon receipt of the motion and full payment, the case will be reopened.
3. Pennington's complaint is DISMISSED without prejudice.

Dated this 1st day of August 2012.

Brian S Miller

UNITED STATES DISTRICT JUDGE