

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

ABRAHAM GRANT SR.  
ADC #128147

PLAINTIFF

V.

NO: 5:12CV00244 KGB

RAY HOBBS

DEFENDANT

**ORDER**

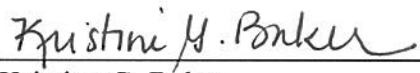
The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

Plaintiff Abraham Grant Sr. has also filed a motion for appointed counsel (Dkt. No. 6) and a motion to amend his complaint (Dkt. No. 8). Those motions are denied as moot.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief may be granted.
2. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.
4. The motion for appointed counsel (Dkt. No. 6) and motion to amend the complaint (Dkt. No. 8) are denied as moot.

DATED this 15 day of August, 2012.



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Kristine G. Baker  
United States District Judge