

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

**DAVID PAGE  
ADC #143815**

**PLAINTIFF**

**V.**

**No. 5:12-cv-00333 KGB**

**KENDRICK NELSON *et al.***

**DEFENDANTS**

**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.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's motion to dismiss voluntarily his complaint (Dkt. No. 3) is GRANTED, and plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. 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.

DATED this 19<sup>th</sup> day of October, 2012.



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Kristine G. Baker  
United States District Judge