

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

SHANNON SIMMONS

PLAINTIFF

v.

CASE NO. 5:13CV00078-BSM

**DONNY FORD, Sheriff
Dallas County; et al.**

DEFENDANTS

ORDER

The proposed findings and recommended disposition from United States Magistrate Judge Joe J. Volpe have been reviewed, along with the objections filed by the plaintiff. After carefully considering these documents and conducting 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 all respects.

It is therefore ordered that the complaint [Doc. No. 1] is dismissed without prejudice, pursuant to 28 U.S.C. §1915A(b), for failure to state a claim upon which relief may be granted. This dismissal shall constitute a “strike” within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g). Further it is certified that, pursuant to 28 U.S.C. § 1915(a)(3), an *in forma pauperis* appeal from this order and the accompanying judgment would not be taken in good faith.

IT SO ORDERED this 18th day of September 2013.



UNITED STATES DISTRICT JUDGE