

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

CHIERRE JONES,
ADC # 120477

Plaintiff,

vs.

SGT. FERRICHER, ET AL.,

Defendants.

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No. 5:13CV00104 SWW/JTK

ORDER

Before the Court are the Magistrate Judge’s proposed finding and recommendation and plaintiff’s objections to the recommended disposition.

Plaintiff filed this *pro se* complaint on a form to be used by prisoners in filing a complaint pursuant to 42 U.S.C. §1983. Citing 42 U.S.C. § 1985, he alleges defendants conspired to commit unconstitutional acts. On April 12, 2013, the Magistrate Judge directed plaintiff to file an amended complaint within thirty (30) days, stating the name of each individual personally involved in the claim at issue in his complaint; how each individual was personally involved; how each individual violated his constitutional rights; and how he was harmed. Plaintiff failed to file an amended complaint and the Magistrate Judge recommended that his complaint be dismissed. Plaintiff objected to the recommended disposition, arguing his conspiracy claims were adequately stated in his original complaint and asserting that the Arkansas Department of Correction prevented him from timely complying with the Order to amend.

The Court has reviewed plaintiff’s complaint and finds he alleges no specific facts in support of his claim of conspiracy which tend to show a “meeting of the minds” among the alleged

conspirators. *See Murray v. Lene*, 595 F.3d 868, 870 (8th Cir. 2010). Because plaintiff fails to state sufficient facts to state a claim for conspiracy to violate his constitutional rights, his complaint is dismissed.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint against Defendants is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.

2. This dismissal is considered a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).

3. The Court certifies that an in forma pauperis appeal from an Order and Judgment dismissing this action will not be taken in good faith. 28 U.S.C. § 1915(a)(3).

An appropriate Judgment shall accompany this Order.

DATED this 6th day of June, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE