

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

JOHNNY LEE NICHOLS
ADC # 115100

PLAINTIFF

v.

No. 5:13-cv-109-DPM-JJV

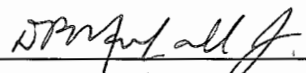
STATE OF ARKANSAS;
MIKE BEEBE, Governor; and
RAY HOBBS, Director, ADC

DEFENDANTS

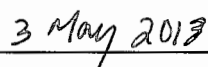
ORDER

Nichols objects to Magistrate Judge John J. Volpe's Proposed Findings and Recommendations. *No 3 & 4*. On *de novo* review, the Court adopts the proposal with clarifications. FED. R. CIV. P. 72(b)(3). Nichols is a three-striker. His objections do not show that he is in imminent danger of physical injury. He therefore cannot proceed *in forma pauperis*. 28 U.S.C. § 1915(g). His motion, *No 1*, is denied. The Court will enter Judgment dismissing his complaint without prejudice unless he pays the \$350.00 filing fee by 27 May 2013.

So Ordered.



D.P. Marshall Jr.
United States District Judge



3 May 2013