

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

**RODNEY TYRONE ROBINSON
ADC #145946**

PLAINTIFF

v.

5:13CV00222 KGB

**ARKANSAS DEPARTMENT
OF CORRECTION**

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young (Dkt. No. 5). 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 Plaintiff Rodney Tyrone Robinson's motion to dismiss voluntarily his complaint is granted (Dkt. No. 4). Mr. Robinson's complaint is dismissed without prejudice. 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.

Mr. Robinson has filed a second motion to dismiss and requests that no further funds be deducted from his inmate trust fund account for the filing fee in this case (Dkt. No. 6). Based on Mr. Robinson's assertions in his second motion to dismiss and the Court's review of the filings made, it appears that an individual other than Mr. Robinson filed this case in Mr. Robinson's name (Dkt. No. 6). For good cause shown, the Court's Order granting Mr. Robinson's motion for leave to proceed *in forma pauperis* is vacated (Dkt. No. 3). The Clerk of the Court is directed to return to Mr. Robinson any funds collected towards the filing fee in this case and to send a copy of this order to: (1) the Warden of the East Arkansas Regional Unit, P.O. Box 180,

Brickeys, Arkansas 72320-0810; (2) the ADC Trust Fund Centralized Banking Office, P. O. Box 8908, Pine Bluff, Arkansas, 71611; and (3) the ADC Compliance Office, P.O. Box 20550, Pine Bluff, Arkansas 71612-0550.

SO ORDERED this the 10th day of February, 2014.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive style with a horizontal line underneath it.

Kristine G. Baker
United States District Judge