

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

**LOY HOLDER,
ADC #114988**

PLAINTIFF

v.

CASE NO. 5:13CV00229-BSM

MARK CASHION, et al.

DEFENDANTS


ORDER

The proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney and the objections filed by the plaintiff have been reviewed. After careful consideration and a *de novo* review of the record, it is found that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's amended complaint [Doc. No. 4] against defendants is dismissed, for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. It is certified that an *in forma pauperis* appeal from an order and judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 28th day of October 2013.



UNITED STATES DISTRICT JUDGE