

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

DEONDRAE SIMS

PETITIONER

CASE NO: 5:13CV00254 BSM

RAY HOBBS

RESPONDENT

ORDER

The recommended disposition submitted by United States Magistrate Judge H. David Young has been reviewed. No objections have been filed. After careful consideration, the recommended disposition should be, and hereby is, approved and adopted in all respects.

IT IS THEREFORE ORDERED THAT:

1. Sims' petition is dismissed without prejudice for failure to pay the filing fee, failure to comply with Local Rule 5.5(c)(2), and failure to respond to the August 13, 2013, order.
2. It is further certified that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 8th day of October 2013


UNITED STATES DISTRICT JUDGE