

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

TIMOTHY ALLEN WELLS,
ADC #141072

PETITIONER

v.

No. 5:13CV00259 JLH

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

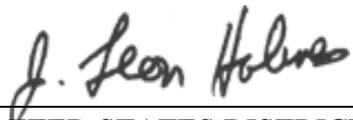
ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, 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:

1. Petitioner's petition is DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee,¹ failure to comply with Local Rule 5.5(c)(2), and failure to respond to the Court's order.
2. 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.

DATED this 15th day of October, 2013.



UNITED STATES DISTRICT JUDGE

¹ The Court has confirmed with the finance department of the Clerk's office that the filing fee has not been received.