

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

**WAIMONUSHUN SMITH,
ADC #111026**

PLAINTIFF

V.

CASE NO. 5:13CV00267 BSM

RAY HOBBS, Director, ADC, et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections have been filed. After carefully considering these documents and making a *de novo* review of the record in this case, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, this case is dismissed, without prejudice, for failing to state a claim on which relief may be granted.
2. Dismissal of this action constitutes a “STRIKE,” as defined by 28 U.S.C. § 1915(g).
3. It is certified that, pursuant to 28 U.S.C. § 1915(a)(3), an *in forma pauperis* appeal from this order and the accompanying Judgment would not be taken in good faith.

Dated this 31st day of October 2013.


UNITED STATES DISTRICT JUDGE