

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

PATRICK L. SHERMAN,  
ADC #96304

PLAINTIFF

v.

No. 5:13-cv-346-DPM-JJV

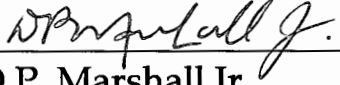
JEFFERSON COUNTY, ARKANSAS

DEFENDANT

ORDER

The Court has considered Magistrate Judge Joe J. Volpe's proposed findings and recommendations, *No. 5*. Sherman has not objected. The Court sees no legal error and no clear error of fact on the face of this record as a whole. FED. R. CIV. P. 72(b) (Advisory Committee notes to 1983 Addition). The Court therefore adopts the recommendation as its own. Sherman's complaint is dismissed without prejudice. His motion to proceed *in forma pauperis*, *No. 2*, is denied. Filing fee, and any motion to reopen, due by 13 January 2014. An *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

13 December 2013