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

RICHARD ALAN DAVIS ADC #89568 **PLAINTIFF**

v.

No. 5:13-cv-351-DPM-JJV

CURTIS MEINZER, Deputy Warden, Varner Unit, ADC

DEFENDANT

ORDER

After *de novo* review the Court adopts Magistrate Judge Volpe's recommendation. N_{\odot} 58. Davis's objections, N_{\odot} 61, are overruled. Meinzer's motion for summary judgment, N_{\odot} 49, is granted. An *in forma pauperis* appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.

United States District Judge

9 December 2014