

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

KENNETH RAY PITTS,  
ADC #85938

PLAINTIFF

v.

5:14CV00122-JM-JTK

JACQUELINE CARSWELL, et al.

DEFENDANTS

**ORDER**

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff Pitts' Motion to Proceed In Forma Pauperis (Doc. No. 1) is DENIED.
2. Should Plaintiff wish to continue this case, he must submit the statutory filing fee of \$400.00 to the Clerk, noting the above case style and number within ten (10) days of the date of this Order, together with a motion to reopen the case. Upon receipt of the motion and full payment, the case will be reopened.
3. Plaintiff's Complaint is DISMISSED without prejudice.
4. Plaintiff's Motion to Appoint Counsel is DENIED as moot.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 28<sup>th</sup> day of April, 2014.



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JAMES M. MOODY JR.  
UNITED STATES DISTRICT JUDGE