Sims v. Hobbs et al Doc. 5

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

ROGER D. SIMS, PLAINTIFF
ADC # 121381

v. 5:14CV00324-JM-JJV

RAY HOBBS; *et al.* DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, 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. Plaintiff's Complaint (Doc. No. 2) is DISMISSED without prejudice for failure to state a claim upon which relief can be granted;

2. Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. § 1915(g);

3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 24th day of September, 2014.

JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE

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