

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

KEVIN RAY PEARCY,  
ADC # 146408

PLAINTIFF

v.

No. 5:14CV00348-JLH-JJV

JULIA PARTAIN, Licensed Certified  
Social Worker, Varner Unit, ADC

DEFENDANT

**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:

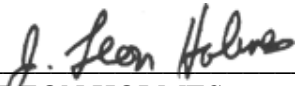
1. Defendant's Motion for Sanctions (Doc. No. 17) is GRANTED in part and DENIED in part:

A. This action is DISMISSED without prejudice due to Plaintiff's failure to diligently prosecute it.

B. The parties shall bear their own costs at this time. If Plaintiff attempts to revisit this matter, he shall compensate Defendant Partain for the April 7, 2015 court reporter's fee before being allowed to proceed.

2. 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.

SO ORDERED this 4th day of June, 2015.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE