

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

JOE PERRY, JR.
ADC #155237

PLAINTIFF

v.

Case No. 5:15-cv-00233 KGB/BD

JOHN LOWE, et al.

DEFENDANTS

ORDER

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge Beth Deere and plaintiff Joe Perry, Jr.'s objections, which were timely filed (Dkt. Nos. 7, 8). After carefully considering the Recommended Disposition and objections, and after making a *de novo* review of the record, the Court concludes the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

It is therefore ordered that:

1. Plaintiff's complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted (Dkt. No. 1).
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 6th day of January, 2016.



Kristine G. Baker
United States District Judge