

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

**TOMMY RAY MOSLEY  
ADC #85548**

**PLAINTIFF**

**v.**

**Case No. 5:15-cv-00261 KGB/JTR**

**STEVE MILLER, Law Clerk  
Maximum Security Unit, ADC, et al.**

**DEFENDANTS**

**ORDER**

Plaintiff Tommy Ray Mosley, an inmate with the Arkansas Department of Correction, has filed a *pro se* complaint (Dkt. No. 1), along with an application for leave to proceed *in forma pauperis* (Dkt. No. 6). Magistrate Judge J. Thomas Ray issued a recommended disposition finding that Mr. Mosley cannot proceed *in forma pauperis* because he is barred by the “three strikes” rule of the Prison Litigation Reform Act, and he does not qualify for the imminent danger exception (Dkt. No. 4). Mr. Mosely objected to the recommended disposition (Dkt. Nos. 7, 8).

The Court has reviewed the Recommended Disposition and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court approves and adopts the Recommended Disposition in its entirety as this Court’s findings in all respects.

It is therefore ordered that:

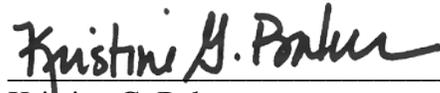
1. Mr. Mosely’s motion for leave to proceed *in forma pauperis* is denied (Dkt. No. 6), and the Court dismisses without prejudice this case.
2. Should Mr. Mosley wish to continue to pursue this case and the claims he alleges, he must submit the statutory filing and administrative fees of \$400.00 to the Clerk of the Court,

noting the above case style number, within 30 days of the entry date of this Order, along with a motion to reopen the case. Upon receipt of the motion and full payment, this case will be reopened.

3. It is certified, 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.

4. All other pending motions are denied as moot (Dkt. Nos. 9, 10).

Dated this 4th day of January, 2016.



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Kristine G. Baker  
United States District Judge