

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

**RUSSELL BERGER,  
ADC #115855**

**PLAINTIFF**

**V.**

**CASE NO. 5:15-CV-00263 JM/BD**

**MARVIN EVANS, et al.**

**DEFENDANTS**

**ORDER**

The Court has received a Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. After careful review of the Recommendation, Mr. Berger’s timely objections, as well as a *de novo* review of the record, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

Mr. Berger’s lawsuit is DISMISSED, without prejudice.

IT IS SO ORDERED, this 1<sup>st</sup> day of September, 2015.

  
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UNITED STATES DISTRICT JUDGE