

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

KEVIN RAY PEARCY, ADC # 146408

PLAINTIFF

v.

5:15CV00268-JLH-JJV

WENDY KELLEY, Director, Arkansas
Department of Correction; *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted as this Court's findings.

IT IS, THEREFORE, ORDERED that plaintiff's complaint is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.

SO ORDERED this 14th day of September, 2015.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE