

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

EDWARD I. ELDRIDGE, SR.
ADC #157109

PLAINTIFF

V.

NO. 5:16CV00202 SWW/JTR

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 J. Thomas Ray and Plaintiff's objections. After careful review, including a *de novo* review of pertinent portions of the record, 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. Judgment will be entered accordingly. IT IS THEREFORE ORDERED THAT:

1. This case is hereby DISMISSED, WITHOUT PREJUDICE, for failure to state a claim upon which relief may be granted.
2. This dismissal shall be counted as a STRIKE, as defined by 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 and the accompanying judgment would not be taken good faith.

IT IS SO ORDERED THIS 20TH DAY OF OCTOBER, 2016.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE