

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

**LARRY OLIVAREZ
ADC # 146983**

PLAINTIFF

v.

CASE NO. 5:16-CV-00241 BSM

**RODNEY D. BROWN,
Correctional Property Sergeant, et al.,**

DEFENDANTS

ORDER

The proposed findings and recommendations submitted by United States Magistrate Judge Joe J. Volpe [Doc. No. 9] and plaintiff Larry Olivarez's objections [Doc. No. 10] have been reviewed. After *de novo* review, the proposed findings and recommendations are adopted in their entirety.

Accordingly, Olivarez's complaint is dismissed without prejudice for failure to state a claim. Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. § 1915(g), and an *in forma pauperis* appeal, pursuant to 28 U.S.C. § 1915(a)(3), would not be taken in good faith. This case is dismissed.

IT IS SO ORDERED this 27th day of September 2016.


UNITED STATES DISTRICT JUDGE