

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

DANIEL BRYCE HURLBUT,
ADC #658898

PLAINTIFF

v.

5:18CV00027-JM-JTK

RUSTY ARMSTRONG, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint against Defendants is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.

2. This dismissal is considered a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).

3. The Court certifies that an in forma pauperis appeal from an Order and Judgment dismissing this action will not be taken in good faith. 28 U.S.C. § 1915(a)(3).

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 2nd day of April, 2018.



JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE