

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

KIRELL TAYLOR

PLAINTIFF

v.

Case No. 3:11-CV-03128

MIDNIGHT EXPRESS BOOKS and
LINDA HUDDLESTON

DEFENDANTS

ORDER

Currently before the Court is the Report and Recommendation (Doc. 17) filed in this case on March 13, 2012, by the Honorable James R. Marchewski, United States Magistrate for the Western District of Arkansas. Also before the Court are Plaintiff's Objections (Doc. 19) to the Report and Recommendation.

The Court has reviewed this case *de novo*, and, being well and sufficiently advised, finds as follows: Plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation. Although Plaintiff maintains in his Objections to the Report and Recommendation that he is genuinely concerned for his safety, the Court finds that Plaintiff has not alleged any facts to indicate that he is under imminent danger of serious physical injury.

Accordingly, the Court finds that the Report and Recommendation (Doc. 17) is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. For the reasons stated herein and in the Magistrate Judge's Report and Recommendations, Plaintiff's *in forma pauperis* status pursuant to the Prison Litigation Reform Act is hereby **REVOKED**, and Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to re-open the case with payment of the appropriate filing fee.

IT IS FURTHER ORDERED that any and all motions which remain pending are
DISMISSED AS MOOT.

IT IS SO ORDERED this 11th day of April, 2012.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE