

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

JESUS TREVINO

PLAINTIFF

v.

Civil No. 09-5040

**KYRA JENNER, Assistant
U.S. Attorney; MICHAEL BURTIS,
Immigration Enforcement Agent; and
MICHAEL BOZE, Immigration
Enforcement Agent**

DEFENDANTS

ORDER

The Court has reviewed the Report and Recommendation submitted by United States Magistrate Judge James R. Marschewski, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Report and Recommendation should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint (docket entry #1) is DISMISSED WITHOUT PREJUDICE.
2. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 20th day of May, 2009.



UNITED STATES DISTRICT JUDGE