

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

JOHN RAMBEAU

PLAINTIFF

v.

Case No. 09-6049

GARLAND COUNTY
DETENTION CENTER

DEFENDANT

ORDER

Now on this 3rd day of February 2010, there comes on for consideration the report and recommendation filed herein on January 13, 2010, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 6). Plaintiff did not file timely, written objections.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's Motion to Proceed In Forma Pauperis (doc. 4) is DENIED, and Plaintiff's Complaint is DISMISSED for failure to state a claim under 42 U.S.C. § 1983. See 28 U.S.C. § 1915(e)(2)(B)(ii) (IFP action may be dismissed on such grounds at any time). Plaintiff is advised that this dismissal is considered a "strike" for purposes of the Prison Litigation Reform Act. 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge