

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

MARION C. BUTLER,  
ADC #119900

PLAINTIFF

v.

No. 4:11CV00708 JLH-JTK

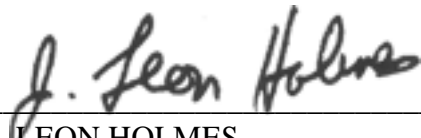
WILLIAM O. JAMES

DEFENDANT

**JUDGMENT**

Pursuant to the Opinion and Order entered in this matter on this date, this action is DISMISSED without prejudice for failure to state a claim. The Court hereby certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal taken from this Judgment and accompanying Opinion and Order would be frivolous and not in good faith.

IT IS SO ADJUDGED this 6th day of October, 2011.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE