

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

SHELBY JAY AUTRY

PLAINTIFF

v.

CASE NO. 1:17-CV-00058 BSM

JACK YANCY, et al.

DEFENDANTS

ORDER

The proposed findings and recommendations [Doc. No. 7] submitted by United States Magistrate Judge Jerome T. Kearney have been received. Plaintiff Shelby Jay Autry has not submitted objections. After a careful review of the record, the proposed findings and recommendations are adopted in their entirety. Accordingly, Autry's amended complaint [Doc. No. 5] is dismissed without prejudice for failure to state a claim upon which relief may be granted. Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. Section 1915(g). Furthermore, it is certified that an *in forma pauperis* appeal would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 10th day of October 2017.



UNITED STATES DISTRICT JUDGE