

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

RICHARD SCOTT TUCKER,
ADC # 122704

PLAINTIFF

v.

Case No. 2:09-cv-151-DPM

CORRECTIONAL MEDICAL SERVICES,
INC., CHARLOTTE GREEN, RICHARD PLANT,
DEBRA WEST, TERESA KUNDERT,
ROLAND ANDERSON, THEODORE DUENSING
and DIANNA LOCKLEAR

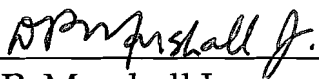
DEFENDANTS

Order

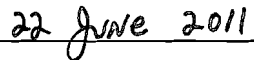
The Court has considered Magistrate Judge H. David Young's proposed Findings and Recommendations, *Document No. 384*, and Richard Scott Tucker's objections, *Document Nos. 389, 390 & 391*. After *de novo* review, the Court adopts Judge Young's recommended disposition with one correction. FED.R.CIV.P. 72(b)(3). The Court dismissed the claims against John Lytle in an earlier order. *Document No. 297*. Tucker has failed to exhaust his administrative remedy with respect to his various claims against all the other Defendants before he filed this lawsuit. 42 U.S.C. § 1997e(a).

Tucker's complaint and amended complaints, *Document Nos. 2, 29, 78, 79 & 303*, are dismissed without prejudice. This dismissal counts as a "strike" under 28 U.S.C. § 1915 (g). The Court certifies that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915 (a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge



22 June 2011