

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

JAMES GRACEY,  
ADC #85310

PLAINTIFF

V.

2:11CV00074 SWW/JTR

BARNES, Lieutenant,  
East Arkansas Regional Unit,  
Arkansas Department of Correction, et al.

DEFENDANTS

**JUDGMENT**

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that this case is DISMISSED, WITHOUT PREJUDICE, for failing to state a claim upon which relief may be granted. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Judgment and the accompanying Order of Dismissal would not be taken in good faith.

Dated this 20<sup>th</sup> day of May, 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE