

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

JACOB PAUL LIPE

PLAINTIFF

v.

No. 2:16-cv-170-DPM

WENDY KELLEY, Director, Arkansas
Department of Correction; and
G. LAY, Warden, EARU, ADC

DEFENDANTS

ORDER

Unopposed recommendation, *No 24*, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Motion for summary judgment, *No 19*, granted. Lipe's complaint will be dismissed without prejudice for failure to exhaust. An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

15 June 2017