

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

RICHARD COX
ADC #115950

PLAINTIFF

v.

No. 2:16-cv-172-DPM

WENDY KELLEY, Director, ADC;
GAYLON LAY, Warden, East Arkansas
Regional Unit; and JAMES DYCUS, Deputy
Warden, East Arkansas Regional Unit

DEFENDANTS

ORDER

On *de novo* review, the Court adopts the recommendation, *No* 24, and overrules Cox's objections, *No* 25. FED. R. CIV. P. 72(b)(3). Motion for summary judgment, *No* 15, granted. Cox'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

31 March 2017