

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

**DARIUS DEWAYNE EVERETT CLAY
ADC #139928**

PLAINTIFF

v.

CASE NO. 2:18-CV-00026 BSM

SMITH, et al.

DEFENDANTS

ORDER

The recommended disposition submitted by United States Magistrate Judge J. Thomas Ray [Doc. No. 5] has been reviewed. No objections have been filed. After careful review of the record, the recommended disposition is adopted in its entirety. Accordingly, plaintiff Darius Dewayne Everett Clay's amended complaint is dismissed, without prejudice, for a failure to state a claim upon which relief may be granted. This dismissal counts as a "strike" pursuant to 28 U.S.C. section 1915(g). It is certified, pursuant to 28 U.S.C. section 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

IT IS SO ORDERED this 10th day of April 2018.



UNITED STATES DISTRICT JUDGE