

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

CALVIN RAY MCDANIEL

PLAINTIFF

V.

3:09CV00099-WRW/JTR

THOMAS G. MONTGOMERY,
Crittenden County Public Defender;
and BART E. ZIEGENHORN,
Crittenden County Public Defender

DEFENDANTS

JUDGMENT

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that the Complaint is DISMISSED, WITH PREJUDICE, for failing to state a claim upon which relief may be granted. The dismissal constitutes a “strike” as defined by 28 U.S.C. § 1915(g). 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 would not be taken in good faith.

Dated this 24th day of July, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE