

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

MATRYNE DEWITT VAIL

PLAINTIFF

v.

No. 3:18-cv-207-DPM

MIKE ALLEN and RON COLEMAN

DEFENDANTS

ORDER

Vail hasn't responded to the pending recommendation; his mail is being returned undelivered. *No* 9. Unopposed recommendation, *No* 8, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Vail's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" within the meaning of 28 U.S.C. § 1915(g). 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

7 January 2019