

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

NAPOLEON SCALES,
ADC #91963

PLAINTIFF

4:06CV01498 SWW/HDY

LARRY KILLOUGH, JR.

DEFENDANT

JUDGMENT

Pursuant to the Memorandum and Order entered in this matter on this date, it is Considered, Ordered, and Adjudged that this case be, and it is hereby, DISMISSED with prejudice, for failure to state a claim. The relief sought is denied.

The Court hereby certifies that any appeal taken from this Judgment and the accompanying Memorandum and Order dismissing this action, is considered frivolous and not in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 24th day of October, 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE