

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

HOWARD POWELL, JR.
ADC #127977

PLAINTIFF

4:09CV00014GTE/HLJ

LORI A. MOSBY

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, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal taken from this Judgment and the accompanying Memorandum and Order is considered frivolous and not in good faith.

IT IS SO ADJUDGED this 21st day of January, 2009.

/s/ Garnett Thomas Eisele
United States District Judge