

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

TERRY DEAN BIRTS
ADC #130647

PLAINTIFF

V.

4:10CV00070 JMM/JTR

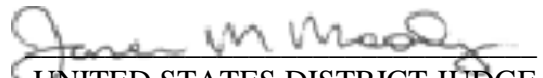
DOC HOLIDAY,
Sheriff of Pulaski County

DEFENDANT

JUDGMENT

Consistent with the Order of Dismissal that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that, pursuant to Local Rule 5.5(c)(2), this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's February 11, 2010 Order. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal taken from this Judgment and the accompanying Order of Dismissal would not be taken in good faith.

DATED this 22nd day of March, 2010.


UNITED STATES DISTRICT JUDGE