

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

LYNN FRANKLIN MILAM
ADC #500489

PLAINTIFF

v.

No. 4:11-cv-839-DPM

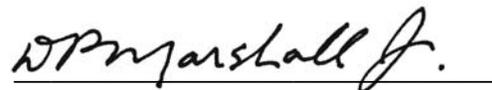
SWATZEL,*et al.*

DEFENDANTS

ORDER

On *de novo* review of Magistrate Judge Young's recommended disposition and Milam's objection and other new materials, *Document Nos. 7, 9, & 11*, the Court adopts Judge Young's recommendation. Officer Swatzel's bad joke does not create a constitutional claim. This dismissal counts as a strike for 28 U.S.C. § 1915(g). And the Court certifies that an *in forma pauperis* appeal of this dismissal would be frivolous and not in good faith.

So Ordered.



D.P. Marshall Jr.
United States District Judge

17 January 2012