

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**FREDERICK PENNINGTON, JR.
ADC #71305**

PLAINTIFF

V.

5:08CV00264 WRW/HDY

RANDY J. CULLAS *et al.*

DEFENDANTS

JUDGMENT

Pursuant to the order filed this date, judgment is entered dismissing this case without prejudice. The Court certifies, pursuant to 28 U.S.C. 1915(a)(3), that an *in forma pauperis* appeal from its order and this judgment entered thereunder, would not be taken in good faith.

DATED this 26th day of September, 2008.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE