

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

BENNIE HEAROD  
ADC #113427

PLAINTIFF

V.

5:09CV00330 JMM/JTR

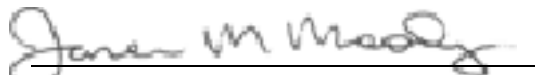
JOANNA Z. FRANKLIN,  
Disciplinary Hearing Officer,  
Maximum Security Unit, et al.

DEFENDANTS

**JUDGMENT**

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that the Complaint is DISMISSED, WITH PREJUDICE, for failing to state a claim upon which relief may be granted. The dismissal constitutes a “strike” as defined by 28 U.S.C. § 1915(g). Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Judgment and the accompanying Order would not be taken in good faith.

Dated this 23<sup>rd</sup> day of December, 2009.

  
UNITED STATES DISTRICT JUDGE