

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

RICKEY LEE RUSHING

PLAINTIFF

v.

CASE NO. 5:10cv00245 BSM/JTR

**JOHN LOWE, Warden,
Diagnostic Unit et al.**

DEFENDANTS

JUDGMENT

Consistent with the order of dismissal that was entered today, 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 April 19, 2011 order. Further, it is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this judgment and the accompanying order of dismissal would not be taken in good faith.

DATED this 24th day of May, 2011.


UNITED STATES DISTRICT JUDGE