

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

JEREMY KENNEDY
ADC #93061

PLAINTIFF

v.

No: 5:13-cv-397-DPM-HDY

**LARRY MAY, Deputy Director, ADC;
GREG HARMON; Warden, Wrightsville Unit,
ADC; and JANE DOE, Records Department
Supervisor**

DEFENDANTS

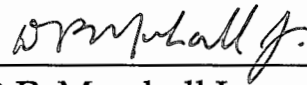
ORDER

Kennedy has not paid the filing and administrative fees in this § 1983 case. In *Kennedy v. Luckett*, 5:05-cv-104, the Court found that he was a three-striker under the PLRA. 28 U.S.C. § 1915(g). He has filed at least three cases that were dismissed for failure to state a claim upon which relief may be granted. *Kennedy v. Byers*, 5:04-cv-8; *Kennedy v. Minor*, 5:04-cv-46; *Kennedy v. Barker*, 5:93-cv-489. The exception to the three-strikes provision does not apply because Kennedy has not alleged that he is in imminent danger of serious physical injury. 28 U.S.C. § 1915(g).

Kennedy's complaint is dismissed without prejudice. The Court certifies that an *in forma pauperis* appeal from this Order and the related Judgment would not be taken in good faith. If he wishes to pursue this case,

he must pay \$400.00 (the statutory filing and administrative fees) and file a motion to reopen the case by 7 February 2014.

So Ordered.



D.P. Marshall Jr.
United States District Judge

