

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

BARRY PAYTON, JR.  
ADC #144723

PLAINTIFF

v.

No. 5:14-cv-347-DPM

SCOTTIE ARRINGTON, Correctional Officer,  
Delta Regional Unit

DEFENDANT

ORDER

Unopposed recommendation, *No 29*, adopted. FED. R. CIV. P. 72(b) (1983 Addition to Advisory Committee Notes). Arrington's motion for summary judgment, *No 25*, is granted. Payton's claims against Arrington will be dismissed without prejudice for failure to exhaust. An *in forma pauperis* appeal from this Order and accompanying Judgment will not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

*D.P. Marshall Jr.*

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D.P. Marshall Jr.  
United States District Judge

*28 August 2015*