

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

**TYRONE ELLIS,  
ADC #149250**

**PLAINTIFF**

**VS.**

**5:15CV00390-BRW-JTK**

**ARIC SIMMONS**

**DEFENDANT**

**ORDER**

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After reviewing them and Plaintiff's objections, as well as a *de novo* review of the record, I adopt the proposed findings and recommendations.

Accordingly, Defendants' Motion to Vacate the Order granting Plaintiff's *in forma pauperis* status<sup>1</sup> (Doc. No. 20) is GRANTED. The January 4, 2016 Order (Doc. No. 4) granting Plaintiff's Motion to Proceed *In Forma Pauperis* is REVOKED.

Plaintiff's Complaint is DISMISSED without prejudice. If Plaintiff wants to continue this case, he must submit the statutory filing fee of \$400 to the Clerk of the Court, noting the above case style and number, within fourteen (14) days of the date of this Order, along with a motion to reopen the case. After receipt of the motion and full payment, the case will be reopened. Any money deducted from Plaintiff's inmate account based on the January 4, 2016 Order, should be refunded to Plaintiff's account.

IT IS SO ORDERED this 11th day of March, 2016.

/s/ Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The three strikes are from *Ellis v. Chandler*, No. 1:11CV01006 (W.D. Ark.); *Ellis v. Chandler*, No. 1:10CV01080 (W.D. Ark.); and *Ellis v. McDaniel*, No. 5:15CV00236 (E.D. Ark.).