

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

PHILLIP DEWAYNE STEWART
ADC #151956

PLAINTIFF

v.

No. 5:16-cv-81-DPM

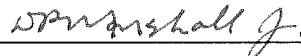
GLADYS EVANS

DEFENDANT

ORDER

On *de novo* review, the Court adopts the recommendation, *No. 4*, and overrules Stewart's objections, *No. 5*. FED. R. CIV. P. 72(b)(3). Stewart's complaint doesn't state a claim that passes muster under the Constitution. It will therefore be dismissed without prejudice. Under the governing law, which is strict, this dismissal counts as a "strike." 28 U.S.C. § 1915(g). 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.
United States District Judge

