

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

**BILLY FLETCHER
ADC #139682**

PLAINTIFF

v.

CASE NO. 5:16-CV-00201 BSM

**WENDY KELLY, Director,
Arkansas Department of Correction; et al.**

DEFENDANTS

ORDER

The proposed findings and recommendations [Doc. No. 22] submitted by United States Magistrate Judge Joe J. Volpe have been received. No objections have been filed by plaintiff Billy Fletcher. After careful consideration, the proposed findings and recommendations are adopted in their entirety. Accordingly, defendant Joshua Mayfield's motion for summary judgment [Doc. No. 18] is granted, and Mayfield is dismissed from this action without prejudice due to Fletcher's failure to exhaust his administrative remedies against him. It is further certified that an *in forma pauperis* appeal from this order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 23rd day of November 2016.


UNITED STATES DISTRICT JUDGE