

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

QUINCY JAY PLESSY,
ADC #149962

PLAINTIFF

V.

5:16CV00276 JM/JTR

JASON KELLEY, Health Services Administrator,
Varner Unit, ADC, et al.

DEFENDANTS


ORDER

Plaintiff Quincy Jay Plessy has not complied with the Court's discovery Orders (Docs. 77 & 79), and the time to do so has expired. Importantly, Plessy was warned that the failure to timely and properly comply with those discovery Orders would result in the dismissal of this action. *Id.*

IT IS THEREFORE ORDERED THAT:

1. This case is DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 37(b)(2)(v).
2. Defendants' Motions for Summary Judgment (Docs. 80 & 83) are DENIED AS MOOT and may be renewed if Plessy chooses to refile the claims raised in this action.
3. It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 30th day of October, 2017.


UNITED STATES DISTRICT JUDGE