

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

DANIEL RAY BROWN
ADC #088140

PLAINTIFF

v.

No. 5:16-cv-374-DPM

WENDY KELLEY, Director, Arkansas Department
of Correction; FROST, Warden, Ouachita River
Unit, ADC; and DOES, 1-2, ACC Director and
Ouachita Intake/Receiving Supervisor

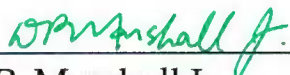
DEFENDANTS

ORDER

1. On *de novo* review, the Court adopts the recommendation, *No* 5, and overrules Brown's objections, *No* 6. FED. R. CIV. P. 72(b)(3). Brown's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

2. Brown's motion to join parties, *No* 4, denied as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge



10 January 2017