

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

JERRY W. MILLS,  
ADC #112594

PLAINTIFF

v.

5:18CV00182-JM-JTK

WENDY KELLEY, et al.

DEFENDANTS

**ORDER**

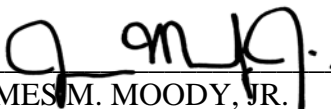
The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's complaint is **DISMISSED** without prejudice to his right to reassert his claim should his disciplinary be invalidated by a state tribunal or federal court.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. The Court certifies that an in forma pauperis appeal from an Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

An appropriate judgment shall accompany this order.

IT IS SO ORDERED this 6<sup>th</sup> day of August, 2018.

  
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JAMES M. MOODY, JR.  
UNITED STATES DISTRICT JUDGE