

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

SYLVESTER O. BARBEE
ADC #131311

PLAINTIFF

v.

No. 5:18-cv-280-DPM

KEITH L. WADDLE, Hearing Officer,
ADC; CHRISTOPHER A. WILLIAMS,
Hearing Officer, ADC; DANIEL WAYNE
GOLDEN, Hearing Officer, ADC; KIMBERLY
A. RILEY, Lieutenant, ADC; WENDY KELLEY,
Director, ADC; L. DYKE, Warden of Security
Operations, Tucker Unit, ADC; PAGE, Warden,
Tucker Unit, ADC; and RAYMOND NAYLOR,
Disciplinary Hearing Administrator

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Deere's recommendation, *No* 10, and overrules Barbee's objections, *No* 11. FED. R. CIV. P. 72(b)(3). Barbee'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).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

7 January 2019