

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

SAMMY RAY MILLER, JR.,

Plaintiff,

v.

3:11-cv-95

RODNEY MINOR,

Defendant.

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum, the court **ORDERS** that this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and to comply with the orders of the court. The court further **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge

ENTERED AS A JUDGMENT  
s/ Patricia L. McNutt  
CLERK OF COURT