

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JASON COPLEY,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:11-cv-451
)	<i>Judge Phillips</i>
)	
BARRY NICELY,)	
)	
Defendant.)	

JUDGMENT ORDER

In accordance with the accompanying Memorandum, the defendant's motion for summary judgment is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. The court **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/ Debra C. Poplin
CLERK OF COURT