

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAVID LEE SMITH, #10445

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:10cv204-HSO-JMR

CONO ANTHONY CARANNA, et al.

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal.

Pursuant to the Memorandum Opinion and Order issued this date and incorporated herein by reference,

IT IS, HEREBY, ORDERED AND ADJUDGED that this cause be, and hereby is, dismissed with prejudice for failure to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and that said dismissal will count as a strike, pursuant to 28 U.S.C. § 1915(g).

SO ORDERED, this the 19th day of July, 2010.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE