

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

FRANK LEE BACK, AIS # 147599, :

Plaintiff, :

vs. : **CIVIL ACTION 07-0638-KD-M**

BRAXTON KITTRELL, et al., :

Defendants. :

JUDGMENT

It is **ORDERED, ADJUDGED,** and **DECREED** that this action be and is hereby **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) because Plaintiff's claims are either frivolous or fail to state a claim upon which relief may be granted.

DONE this 16th day of December, 2008.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE