

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

LISTON RICHARDSON, AIS # 167224, :

Plaintiff, :

vs. : CIVIL ACTION 09-0136-WS-C

TOMMY TATE, et al., :

Defendants. :

:

JUDGMENT

It is **ORDERED, ADJUDGED, and DECREED** that this action be and is hereby **DISMISSED** without prejudice, prior to service of process, pursuant to 28 U.S.C. § (e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.

DONE this 25th day of August, 2011.

**s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE**