

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

CHARLES W. CUNNINGHAM, JR.,)	
(AIS #193686))	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 10-0114-CG-M
)	
GRANTT CULLIVER, <u>et al.</u>,)	
)	
Defendants.)	

FINAL JUDGMENT

In accordance with the Order on summary judgment entered on December 6, 2011 (Doc. 232), it is **ORDERED, ADJUDGED** and **DECREED** that judgment is entered in favor of defendants, Grantt Culliver, Watson Bishop, Michael Watson, Charlie Portis, Joel Broadhead, James Sizemore, Alphonso Burroughs, and Nurse Sara Carroll, and against plaintiff, Charles W. Cunningham, Jr., as to all plaintiff's claims, and judgment is entered in favor of C. T. Jenkins, Penton Ashworth, Sgt. Christopher Corbitt, Michael McCory, Ernest Stanton, Lareka Brazile, Michael Branch, and Brandon Carroll as to all plaintiff's claims asserted against them, except plaintiff's Eighth Amendment excessive force claim based on the use of the stun shield during the cell extraction, and plaintiff's state law assault and battery claims arising out of defendants' use of physical force and the use of the stun shield during the cell extraction.

Plaintiff's Eighth Amendment excessive force claim based on the use of the stun shield during the cell extraction, and state law assault and battery claims arising out of defendants' use of physical force and the use of the stun shield during

the cell extraction against defendants C. T. Jenkins, Penton Ashworth, Sgt. Christopher Corbitt, Michael McCory, Ernest Stanton, Lareka Brazile, Michael Branch and Brandon Carroll were dismissed with prejudice pursuant to the order issued on October 22, 2013 (Doc. 327); therefore, all the plaintiff's claims in this matter against the aforementioned defendants are hereby **DISMISSED** with prejudice.¹

DONE and ORDERED this 3rd day of December, 2013.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE

¹Defendant Terry Montgomery was dismissed without prejudice as of November 6, 2013 pursuant to the order issued on October 23, 2013.