

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

**HERBERT FLEMING,**

**Plaintiff,**

vs.

**ALABAMA DEPARTMENT OF  
CORRECTIONS, et al.,**

**Defendants.**

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**CIVIL ACTION 10-0533-CG-M**

**JUDGMENT**

It is **ORDERED, ADJUDGED,** and **DECREED** that this action be and is hereby **DISMISSED** without prejudice.

**DONE and ORDERED** this 3rd day of January, 2011.

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