

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

DUANE EARL FANNING, III)	
(AIS # 263799))	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 13-0539-CG-C
)	
COI J. BULLARD,)	
)	
Defendant.)	

JUDGMENT

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that Plaintiff Fanning's Motion to Proceed Without Prepayment of Fees (Doc. 2) is **DENIED**, that this action is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and that action is counted as a strike for purposes of future IFP eligibility under § 1915(g), in that it is malicious.

DONE and ORDERED this 10th day of March, 2014.

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