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. 13-0540-CG-C**
	)	
COI ERIC MCCASKIL,	)	
	)	
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

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