

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

<b>MICHAEL HENRY SMITH,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION 17-0456-WS-M</b>
	)	
<b>COMCAST CORPORATION, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

The Court has by separate orders granted motions dismissing five of the eight named defendants for failure to state a claim on which relief may be granted. (Docs. 93-95). The remaining defendants are Brian Roberts (as the chairman, president and chief executive officer of defendant Comcast Corporation (“Comcast”)), Xfinity, Inc. (“Xfinity”), and Comcast Corporation Mobile Alabama (“Comcast Mobile”).

The *pro se* plaintiff sought and obtained leave to proceed *in forma pauperis* (“IFP”), pursuant to 28 U.S.C. § 1915. (Docs. 44, 45). Because the plaintiff is proceeding IFP under Section 1915, “the court shall dismiss the case at any time if the court determines that ... the action ... fails to state a claim on which relief may be granted.” 28 U.S.C. § 1915(e)(2)(B)(ii). The plaintiff’s claims against Roberts, Xfinity and Comcast Mobile fail to state a claim on which relief may be granted for the same reasons set forth in the Court’s orders granting the other defendants’ motions to dismiss the identical claims against those defendants. In addition, the evidence is uncontroverted that neither Xfinity nor Comcast Mobile exists. (Doc. 1-2 at 2).

For the reasons set forth above, all claims against Brian Roberts, Xfinity, Inc. and Comcast Corporation Mobile Alabama are **dismissed with prejudice**. Judgment shall be entered accordingly by separate order.

DONE and ORDERED this 26<sup>th</sup> day of July, 2018.

s/ WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE