

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

HAROLD DEAN MCCARTY,)	
)	
Petitioner,)	Civil Action No. 5: 08-CV-433-
)	JMH
vs.)	
)	
STEPHEN DEWALT,)	
)	
Respondent.)	JUDGMENT

***** ***** *****


Consistent with the Memorandum Opinion and Order entered today, pursuant to Rule 58 of the Federal Rules of Civil Procedure it is **ORDERED AND ADJUDGED** that:

1. The petition filed pursuant to 28 U.S.C. § 2241 by Harold Dean McCarty against Warden Stephen Dewalt as Respondent [R. 2] is **DENIED**, and Judgment is **ENTERED** in favor of the Respondent.

2. The Court certifies that any appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997); *Kincade v. Sparkman*, 117 F.3d 949 (6th Cir. 1997).

This the 29th day of January, 2009.



Signed By:
Joseph M. Hood 
Senior U.S. District Judge