

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION AT PIKEVILLE

CIVIL ACTION NO. 08-CV-77-KKC

RICHARD L. FULTON

PLAINTIFF

VS:

JUDGMENT

CORRECTIONAL OFFICER HAMILTON, ET AL.

DEFENDANTS

In accordance with the Memorandum Opinion and Order entered contemporaneously with this Judgment, and pursuant to Rule 58 of the Federal Rules of Civil Procedure, it is **ORDERED AND ADJUDGED:**

(1) Plaintiff Richard L. Fulton, who is incarcerated in the United States Penitentiary located in Lewisburg, Pennsylvania, has filed a *pro se* civil rights complaint asserting claims under 28 U.S.C. § 1331, pursuant to the doctrine announced in *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388 (1971).

(2) The named defendants are:(1) Myron Batts (Associate Warden); (2) Paul Adams (Lieutenant); (3) Bobby Gourdouze (Emergency Preparedness Officer); (4) Frank Perrin, (Lieutenant); (5) Steven Parr (Facilities Manager); (6) Melissa Hamilton (Senior Officer); (7) Lloyd Gardner (Senior Officer); (8) Samiran Bhadra (Physician's Assistant); (9) George Roberts (Correctional Counselor); (10), Joseph George (Unit Manager); (11) Amanda Joseph (Unit Secretary); (12) Robert Lee (Correctional Counselor), (13) Jennifer Fultz, (Case Manager); and (14) Katherine Linaweaver (Associate Warden).

(3) All constitutional claims asserted by Plaintiff Richard Fulton are dismissed **WITH PREJUDICE.**

(4) Judgment **IS ENTERED** in favor of the named defendants.

(5) This is a **FINAL** and **APPEALABLE ORDER** and there is no just cause for delay.

(6) The Court certifies that this action has been filed in bad faith and that any resulting 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).

(7) This action [7:08-CV-77-KKC] is **DISMISSED WITH PREJUDICE** and **IS STRICKEN** from the Court's active docket.

Dated this 30th day of July, 2009.



Signed By:

Karen K. Caldwell

Handwritten signature of Karen K. Caldwell, consisting of stylized initials "KCC".

United States District Judge