

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
SOUTHERN DIVISION  
PIKEVILLE

KEVIN FRALEY,

Petitioner,

v.

J.C. ZUERCHER,

Respondent.

Civil Action No. 09-82-KKC

**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 Kevin Fraley against J.C. Zuercher 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).

Dated this 30<sup>th</sup> day of July, 2009.



**Signed By:**

**Karen K. Caldwell**

**United States District Judge**