

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
SOUTHERN DIVISION  
(at Pikeville)

JONATHAN LEE SMITH,	)	
	)	
Plaintiff,	)	Civil Action No. 7: 20-094-DCR
	)	
v.	)	
	)	
UNITED STATES OF AMERICA,	)	<b>JUDGMENT</b>
	)	
Defendant.	)	
	)	

\*\*\* \*\*

Consistent with the Memorandum Opinion and Order entered on January 20, 2021, and the Court’s Memorandum Opinion and Order entered this date, and pursuant to Rule 58 of the Federal Rules of Civil Procedure, it is hereby

**ORDERED** and **ADJUDGED** that:

1. The claims contained in the Plaintiff’s Amended Complaint [Record No. 5] are **DISMISSED**, as follows:
  - a. Plaintiff’s “negligent lifting” claim regarding his extraction from his cell on April 15, 2019, is **DISMISSED**, with prejudice, and Judgment is **ENTERED** in favor of the Defendant on this claim.
  - b. Plaintiff’s “medical negligence” claim related to his medical treatment and transfer in November 2019 is **DISMISSED**, without prejudice.
2. This action is **DISMISSED** and **STRICKEN** from the Court’s docket.
3. This is a **FINAL** and **APPEALABLE** Judgment and there is no just cause for delay.

Dated: February 19, 2021.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, Chief Judge  
United States District Court  
Eastern District of Kentucky