

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

JERRY BALL

PLAINTIFF

v.

CIVIL ACTION NO. 3:08-CV-107-H

MARION ADJUSTMENT CENTER

DEFENDANT

ORDER

For the reasons set forth in the Memorandum Opinion entered this date and being otherwise sufficiently advised, **IT IS ORDERED** that the instant action is **DISMISSED** without prejudice pursuant to FED. R. CIV. P. 41(b).

There being no just reason for delay in its entry, this is a final Order. Leave to appeal to the Court of Appeals *in forma pauperis* is **DENIED** pursuant to 28 U.S.C. § 1915(a)(3) because such an appeal would not be taken in good faith.

Date: April 16, 2009

A handwritten signature in black ink, appearing to read "John G. Heyburn II", is written over a circular seal of the United States District Court for the Western District of Kentucky. The seal features an eagle with wings spread, perched on a shield, with the text "UNITED STATES DISTRICT COURT" and "WESTERN DISTRICT OF KY." around the perimeter.

John G. Heyburn II, Judge
United States District Court

cc: Plaintiff, *pro se*
4412.009