

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

ANTHONY L. SMITH

PLAINTIFF

v.

CIVIL ACTION NO. 3:09CV-P161-S

DAVID L. YOUNG *et al.*

DEFENDANTS

ORDER

For the reasons set forth in the Memorandum Opinion entered this date, and being otherwise sufficiently advised, **IT IS ORDERED** that Plaintiff's claims are **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.

There being no just reason for delay in its entry, this is a **final Order**.

The Court further **certifies** that an appeal of this action would not be taken in good faith.

See 28 U.S.C. § 1915(a)(3).

Date: November 10, 2009



Charles R. Simpson III, Judge
United States District Court

cc: Plaintiff, *pro se*
Defendants

4411.008