

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:09CV-P891-S

LARRY PETTIWAY

PLAINTIFF

v.

MARK BOLTON

DEFENDANT

ORDER

For the reasons set forth in the Memorandum Opinion entered this date, and the Court being otherwise sufficiently advised,

IT IS ORDERED that the complaint is **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.

This Court further **certifies** that an appeal would be frivolous and, therefore, not taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Date: December 22, 2009



**Charles R. Simpson III, Judge
United States District Court**

cc: Plaintiff, *pro se*
Defendant
Jefferson County Attorney
4411.010