

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:11CV-87-S**

RICHARD WINSTEAD

PETITIONER

v.

WARDEN, LUTHER LUCKETT CORRECTIONAL COMPLEX

RESPONDENT

ORDER

For the reasons set forth in the Memorandum Opinion entered this date,

IT IS HEREBY ORDERED that the instant action is **DISMISSED without prejudice**.

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: May 3, 2011



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

cc: Petitioner, *pro se*
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