

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KYLE B. RICHARDS,

Plaintiff,

v.

Case Number: 11-cv-10929
Honorable Thomas L. Ludington

ERIC SMITH, et.al.,

Defendants.

JUDGMENT

IT IS ORDERED AND ADJUDGED that pursuant to this Court's Opinion and Order entered on this date, this cause of action is **DISMISSED WITH PREJUDICE** except to the extent that Plaintiff's claims fall under the rubric of *Heck v. Humphrey*, 512 U.S. 477 (1994), which claims are **DISMISSED WITHOUT PREJUDICE**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 16, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Kyle Richards, #340573, at Macomb County Jail, P.O. Box 2308. Mt. Clemens, Mi 48043 by first class U.S. mail on May 16, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS