IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI EASTERN DIVISION

ROBERT LENOIR

PLAINTIFF

v.

TIM PALMER, ET AL.

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated June 30, 2010, and the July 12, 2010, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated June 30, 2010, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

That the instant case is hereby **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted, counting as a "strike" under 28 U.S.C. §§ 1915
(e)(2)(B)(i) and 1915(g).

3. That this case is **CLOSED**.

THIS, the 21st day of July, 2010.

<u>/s/ MICHAEL P. MILLS</u> CHIEF JUDGE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF MISSISSIPPI

NO. 1:10CV119-M-S

DEFENDANTS