

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

BOBBY VARNADO

PETITIONER

V.

CIVIL ACTION NO. 3:08CV382 DPJ-JCS

DELTA CORRECTIONAL FACILITY

RESPONDENT

JUDGMENT

Having fully reviewed the Report and Recommendation of the United States Magistrate Judge entered in this cause, and having adopted same as the opinion of this Court, the Court finds that the same entire action should be dismissed without prejudice.

THEREFORE, IT IS ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of the defendants, and that this action is dismissed without prejudice.

**SO ORDERED AND ADJUDGED** this the 17<sup>th</sup> day of February, 2009.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE