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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

FREDERICK BANKS, #05711-068

PETITIONER

VERSUS

BRUCE PEARSON

CIVIL ACTION NO. 5:08cv339-DCB-MTP

RESPONDENT

FINAL JUDGMENT

This cause is before the court, <u>sua sponte</u>, for consideration of dismissal. Pursuant to the memorandum opinion issued this day, it is hereby, ORDERED AND ADJUDGED that this cause requesting habeas relief pursuant to 28 U.S.C. § 2241 and mandamus relief pursuant to 28 U.S.C. § 1361 are denied and the instant civil action be dismissed with prejudice.

SO ORDERED AND ADJUDGED, this the 20th day of January, 2009.

s/ David Bramlette UNITED STATES DISTRICT JUDGE