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

SAMUEL W. BARRETT, #122612

**PLAINTIFF** 

**VERSUS** 

CIVIL ACTION NO. 5:09-cv-14-DCB-MTP

ARTHUR LAWLER, et al.

**DEFENDANTS** 

## **FINAL JUDGMENT**

This cause is before the court, <u>sua sponte</u>, for consideration of dismissal. As reflected in the Memorandum Opinion and Order of the court issued this day, plaintiff's claims are not cognizable under 42 U.S.C. § 1983. Consequently, it is hereby,

ORDERED AND ADJUDGED that this cause be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), with prejudice, for failure to state a claim upon which relief may be granted.

Since this case is dismissed in accordance with the above mentioned provision of the Prison Litigation Reform Act, it will be counted as a "strike" pursuant to 28 U.S.C. § 1915(g). SO ORDERED AND ADJUDGED, this the 14th day of May, 2009.

s/David Bramlette
UNITED STATES DISTRICT JUDGE