

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

HERMAN DOUGLAS CARTER, JR., #83346-020 PETITIONER  
VERSUS CIVIL ACTION NO. 5:09cv40-DCB-MTP  
UNITED STATES OF AMERICA, et al. RESPONDENTS

**FINAL JUDGMENT**

This cause is before the Court, sua sponte, for consideration of dismissal. Pursuant to the memorandum opinion issued this day, it is hereby, ORDERED AND ADJUDGED that this cause filed pursuant to 28 U.S.C. § 2241 be dismissed with prejudice as frivolous and to the extent that the petition can be construed as a § 2255 motion it shall be dismissed with prejudice for this Court's lack of jurisdiction.

SO ORDERED AND ADJUDGED, this the 14th day of May, 2009.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE