

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

| | | |
|-------------------------------|---|----------------------------|
| DANIEL K. SIMMONS, |) | CASE NO. 1:09 CV 337 |
| |) | |
| Plaintiff, |) | JUDGE CHRISTOPHER A. BOYKO |
| |) | |
| v. |) | |
| |) | |
| LAKE ERIE CORRECTIONAL |) | <u>JUDGMENT ENTRY</u> |
| INSTITUTION , <u>et al.</u> , |) | |
| |) | |
| Defendants. |) | |

This court having contemporaneously filed its Memorandum of Opinion in this case, it is therefore ORDERED that this action is dismissed pursuant to 28 U.S.C. §1915(e). Further, the court CERTIFIES pursuant to 28 U.S.C. §1915(a)(3) that an appeal from this decision could not be taken in good faith.

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE

June 17, 2009