

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|---------------------------------|---|---------------------------|
| ADRIAN BALLESTEROS, |) | Case No.: 4:10 CV 2406 |
| |) | |
| Petitioner |) | JUDGE SOLOMON OLIVER, JR. |
| |) | |
| v. |) | |
| |) | |
| RODDIE RUSHING, <i>et al.</i> , |) | |
| |) | |
| Respondents |) | <u>ORDER OF DISMISSAL</u> |

Pursuant to this Court's Memorandum of Opinion and Order filed contemporaneously with this Order of Dismissal,

It is ordered that this action is dismissed pursuant to 28 U.S.C. § 2243. Further, Petitioner's Motion to Proceed *In Forma Pauperis* is granted.

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.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
SOLOMON OLIVER, JR.
CHIEF JUDGE
UNITED STATES DISTRICT COURT

March 15, 2011