## UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

CIVIL ACTION NO. 1:11cv0244 (WOB-MRM)

JAMES M. FLEMING

PETITIONER

vs.

JUDGMENT

ROBIN KNAB, WARDEN, Chillicothe Correctional Institution

RESPONDENT

Pursuant to the Order entered concurrently herewith, the Court being advised,

IT IS ORDERED AND ADJUDGED that the within action be, and it hereby is, **dismissed**, without prejudice, and **stricken** from the docket of this Court.

This 7th day of February, 2012.



Signed By: <u>William O. Bertelsman</u> WOB

**United States District Judge**