

\*\*AO 450 (Rev. 5/85) Judgment in a Civil Case

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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF OHIO**

JUDGMENT IN A CIVIL CASE

DAMIEN M. TURNER,

Petitioner,

v.

KEITH SMITH, Warden,

Respondent.

CASE NO. 2:08-CV-52  
JUDGE MARBLEY  
MAGISTRATE JUDGE KING

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the March 23, 2009 Opinion and Order, the *Report and Recommendation* is **ADOPTED and AFFIRMED**. This case is **DISMISSED**.

Date: **March 23, 2009**

**James Bonini, Clerk**

s/Betty L. Clark

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Betty L. Clark/Deputy Clerk