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

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

JAMES L. HENTHORN,

Petitioner, CASE NO. 2:09-cv-00069 JUDGE MARBLEY MAGISTRATE JUDGE E.A. PRESTON DEAVERS

v.

PHILLIP KERNS, Warden,

Respondent.

[] **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.

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

IT IS ORDERED AND ADJUDGED That pursuant to the August 3, 2010 Opinion and Order, the Court ADOPTED and AFFIRMED the Report and Recommendation. This action is DISMISSED.

Date: August 3, 2010

James Bonini, Clerk

s/Betty L. Clark Betty L. Clark/Deputy Clerk