

UNITED STATES DISTRICT COURT

for the Southern District of Ohio

LARRY E. EALY

Plaintiff

v.

SHERIFF PHIL PLUMMER

Defendant

Civil Action No. 3:08-CV-00473-WHR-MRM

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

[] the plaintiff (name) recover from the defendant (name) the amount of dollars (\$), which includes prejudgment interest at the rate of % , plus postjudgment interest at the rate of % , along with costs.

[] the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (name) recover costs from the plaintiff (name)

[x] other: THAT PETITIONER LARRY E. EALY TAKE NOTHING AND THAT THE PETITION BE AND HEREBY IS DISMISSED WITHOUT PREJUDICE FOR FAILURE TO EXHAUST AVAILABLE STATE COURT REMEDIES. PETITIONER'S ANTICIPATED REQUEST TO APPEAL IN FORMA PAUPERIS AND FOR CERTIFICATE OF APPEALABILITY IS DENIED.

This action was (check one):

[] tried by a jury with Judge presiding, and the jury has rendered a verdict.

[] tried by Judge without a jury and the above decision was reached.

[x] decided by Judge Walter Herbert Rice on a motion for (Petition) For Writ of Habeas Corpus.

Date: 02/10/2009

CLERK OF COURT

s/ S. Coats

Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
Western DIVISION

LARRY E. EALY :
Plaintiff :
 :
vs : Case Number: 3:08-CV-0473 WHR-MRM
 :
SHERIFF PHIL PLUMMER :
Defendant :

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES
79.2(a)&(b)

The above captioned matter has been terminated on 2/10/2009.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JAMES BONINI, CLERK

By: s/ S. COATS
Deputy Clerk