

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

UNITED STATES OF AMERICA
Plaintiff
v.
THEODORE SOMERSET
Defendant

Civil Action No. 3:03-PO-002 and 3:09cv017

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)

[] other: that Defendant Theodore Somerset take nothing and that the Motion to Vacate under 28 U.S.C. 2255 be and hereby is DENIED WITH PREJUDICE. Anticipated request for Certificate of Appealability is DENIED. The stay of execution of sentence is VACATED. Defendant Theodore Somerset must report to Probation Office on Monday, November 16, 2009 at 9:30 a.m.

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 Michael R. Merz on a motion for to Vacate under 28 U.S.C 2255

Date: 11/09/2009

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

UNITED STATES OF AMERICA :
Plaintiff :
 :
vs : Case Number: 3:03-PO-002 and 3:09cv017
 :
THEODORE SOMERSET :
Defendant *Defendant* :

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

The above captioned matter has been terminated on 11/09/2009.

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shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.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All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.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