

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :

Plaintiff(s),

Case No. 3: 03-PO-002 and 3:09-CV-017

-vs-

MAGISTRATE JUDGE MICHAEL R. MERZ

THEODORE SOMERSET, :

Defendant(s).

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**JUDGMENT IN A CIVIL CASE**

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**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.

**IT IS ORDERED AND ADJUDGED:** 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.

Date: February 3, 2009

James Bonini, Clerk

By : s/ S. COATS  
Deputy Clerk

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

UNITED STATES OF AMERICA  
Plaintiff

vs

: Case No. 3: 03-PO-002 and 3:09-CV-017

:

THEODORE SOMERSET

Defendant

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES  
79.(a)(b) AND 79.3(e)

The above captioned matter has been terminated on 2/3/2009.

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shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.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All models, diagrams, depositions, x-rays and other exhibits and materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

Rule 79.3 (e)

Sealed or confidential documents shall be disposed of in accordance with Rule 79.2.

JAMES BONINI, CLERK

By : s/ S. COATS  
Deputy Clerk