

UNITED STATES DISTRICT COURT

for the Southern District of Ohio

CHARLES CUNNINGHAM, Plaintiff v. WARDEN, LEBANON CORRECTIONAL INST Defendant

Civil Action No. 3:13-cv-129

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: the Petition is DISMISSED with prejudice. Petitioner is also DENIED any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous

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 H. Rice on a motion for Order for Report and Recommendations

Date: 10/21/2013

CLERK OF COURT

Signature of Clerk or Deputy



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

CHARLES CUNNINGHAM,
Plaintiff

vs

WARDEN, LEBANON CORRECTION
Defendant

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:
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Case Number: 3:13-cv-129

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

The above captioned matter has been terminated on 10/21/2013.

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shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.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All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JOHN P. HEHMAN, CLERK

CLERK OF COURT

John P. Hehman
Signature of Clerk or Deputy

