

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Roger Allen Kirby,

Plaintiff

v.

Sgt. Keith McBride; James Bar; Major James C.

Dean; and Lt. Jack Brown,

Defendants

Civil Action No. 0:12-cv-03227-TMC

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 plaintiff, Roger Allen Kirby, shall take nothing of the defendants; Sgt. Keith McBride, James Bar, Major James C. Dean, and Lt. Jack Brown; as to the complaint filed pursuant to 42 U.S.C. 1983 and this action is dismissed without prejudice.

This action was (check one):

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

[] tried by the Honorable presiding, without a jury and the above decision was reached.

[x] decided by the Honorable Timothy M. Cain, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which granted defendants' motion to dismiss.

Date: October 29, 2013

ROBIN L. BLUME, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk