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# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

James Jermaine Abercrombie,

*Petitioner*

v.

Warden, Lieber Correctional Institution,

*Respondent*

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)  
)  
)

Civil Action No. 0:13-cv-02044-DCN

## JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the petitioner *(name)* \_\_\_\_\_ recover from the respondent *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* \_\_\_\_\_ recover costs from the petitioner *(name)* \_\_\_\_\_.

☒ other: the petitioner, James Jermaine Abercrombie, shall take nothing of the respondent, Warden, as to the petition filed pursuant to 28 U.S.C. § 2254 and this action is dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

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.

☒ decided by the Honorable David C. Norton, United States District Judge, presiding, accepting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which dismissed the petition for lack of prosecution.

Date: February 28, 2014

*ROBIN L. BLUME, CLERK OF COURT*

s/A. Buckingham

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*