

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Kevin Wayne McDaniels,

Petitioner

v.

John R. Owen, Warden at FCI Williamsburg,

Respondent

Civil Action No. 1:12-cv-642-TLW-SVH

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 petitioner, Kevin Wayne McDaniels, shall take nothing of the respondent, John R. Owen, as to the petition filed pursuant to 28 U.S.C. §2254 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 Terry L. Wooten, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the petition without prejudice.

Date: August 17, 2012

LARRY W. PROPES, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk