

UNITED STATES DISTRICT COURT

for the

District of South Carolina

David Lozano, Jr.

Plaintiff

v.

State; SCDC Agency

Defendant

Civil Action No. 2:11-474-RMG

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 Report and Recommendation of Magistrate Judge Bruce Howe Hendricks is adopted and incorporated. This action is dismissed without prejudice and without issuance and service of process. The plaintiff shall take nothing on his complaint filed pursuant to Title 42 U.S.C. § 1983.

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 Richard M. Gergel, United States District Judge.

Date: March 24, 2011

CLERK OF COURT

s/H. Hillman

Signature of Clerk or Deputy Clerk