

UNITED STATES DISTRICT COURT
 for the
 District of South Carolina

Fred Freeman)	
<i>Petitioner</i>)	
v.)	Civil Action No. 9:11-cv-1421-DCN
John R. Pate, Warden)	
<i>Respondent</i>)	

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)* _____.

■ The Report and Recommendations of Magistrate Judge Bristow Marchant is accepted. This petition is dismissed without prejudice and without issuance and service of process. The petitioner shall take nothing on his petition filed pursuant to Title 28 U.S.C. § 2254.

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, Chief United States District Judge.

Date: August 8, 2011

CLERK OF COURT

s/H. Hillman

Signature of Clerk or Deputy Clerk