

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

COREY FERNANDO RUSSELL, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, and )  
 UNITED STATES MARSHALS )  
 SERVICE, )  
 )  
 Defendants. )

No. 3:17-CV-77-TWP-DCP

**ORDER**

In accordance with the accompanying memorandum opinion, Defendants’ motion to dismiss, or in the alternative, motion for summary judgment [Doc. 31] is **GRANTED**, and this pro se prisoner’s civil rights action is **DISMISSED WITH PREJUDICE**. Because the Court has **CERTIFIED** in the memorandum that any appeal from this Order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24. The Clerk is **DIRECTED** to close the civil file.

**SO ORDERED.**

**ENTER:**

s/Thomas W. Phillips  
SENIOR UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT  
s/ John L. Medearis  
CLERK OF COURT