

UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia

FILED

JUN 18 2018

U.S. DISTRICT COURT-WVND
WHEELING, WV 26003

DANIEL CURTIS BALLINGER, Petitioner,

Plaintiff(s)

v.

JENNIFER SAAD, Warden, Respondent.

Civil Action No. 5:17-CV-158

Defendant(s)

JUDGMENT IN A CIVIL ACTION

The court has ordered that:

Judgment award Judgment costs Other

other: Pursuant to FRCP 58, the Clerk is directed to enter judgment on this matter.

This action was:

tried by jury tried by judge decided by judge

decided by Judge Frederick P. Stamp, Jr.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation of the Magistrate Judge is AFFIRMED and ADOPTED; the Writ of Habeas Corpus under 28 U.S.C. Section 2241 is DENIED; Respondent's motion to dismiss or, in the alternative, for summary judgment is GRANTED and this civil action is DISMISSED WITH PREJUDICE and STRICKEN from the active docket of this Court.

Date: June 18, 2018

CLERK OF COURT

Cheryl Dean Riley

By: A. O. Abraham
Signature of Clerk or Deputy Clerk