

FILED

UNITED STATES DISTRICT COURT

for the

DEC 18 2018

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

Northern District of West Virginia

STEPHEN DAVIS, JR., Petitioner

Plaintiff

DEWAYNE HENDRIX, Warden

Respondent

Defendant

Civil Action No. 5:18-CV-18

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

the Magistrate Judge's Report and Recommendation is Affirmed and Adopted; Respondent's motion to Dismiss or, alternatively, for Summary Judgment is GRANTED; Petitioner's motion to Strike is DENIED; Petitioner's Petition is Denied and Dismissed ; and this Civil action is DISMISSED WITH PREJUDICE; and STRICKEN from the active docket of this Court.. And it is further ORDERED that Petitioner has waived his right to seek appellate

other: review.

This action was (*check one*):

decided by Judge FREDERICK P. STAMP, JR.

Date: 12/18/18

Cheryl Dean Riley
CLERK OF COURT

S. O. Abraham
S. O. Abraham, Deputy Clerk

Signature of Clerk or Deputy Clerk