

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

MICHAEL J. KANODE, SR.,

Plaintiff,

v.

Civil Action No: 1:13-16360

STATE OF WEST VIRGINIA and
MERCER COUNTY,

Defendants.

JUDGMENT ORDER

For the reasons stated in the Memorandum Opinion and Order, the court **DENIES** plaintiff's application to proceed without prepayment of fees and costs, (Doc. No. 3), **DISMISSES** plaintiff's complaint, (Doc. No. 1), and **DIRECTS** the Clerk to remove this case from the court's docket.

The Clerk is further directed to forward a certified copy of this Judgment Order to counsel of record and plaintiff, pro se.

It is **SO ORDERED** this 30th day of December, 2015.

ENTER:



David A. Faber

Senior United States District Judge