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# UNITED STATES DISTRICT COURT

Western District of Wisconsin

**JAMES ALFRED SMITH, JR.,**

**JUDGMENT IN A CIVIL CASE**

**Petitioner,**

**08-cv-641-bbc**

**v.**

**MICHAEL THURMER, Warden,  
Waupun Correctional Institution,**

**Respondent.**

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**This action came for consideration before the court with U. S. District Judge Barbara B. Crabb presiding.  
The issues have been considered and a decision has been rendered.**

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## **IT IS ORDERED AND ADJUDGED**

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that the petition is DISMISSED WITHOUT PREJUDICE pursuant to Pursuant to Rule 4 of the Rules  
Governing Section 2254 Cases.

**JOEL W. TURNER**

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Joel W. Turner, Acting Clerk

**Connie A. Korth**

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by Deputy Clerk

**11/20/08**

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Date