CLERK'S OFFICE U.S. DIST COURT AT ROANGEE. VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

OCT 11 2005
JOHN F. CORCUPAN. CLERK BY: DEPUTY CLERK

)
) Civil Action No. 7:05-cv-00607
)
) <u>FINAL ORDER</u>
) Pro Hon Jomes C. Turk
) By: Hon. James C. Turk
) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), for failure to state a claim, and is stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 1 day of October, 2005.

Senior United States District Judge