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## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

## MAR I A 2009 CLERK, U.S. DISTRICT COURT RICHMOND, VA

## KERRY LEE WINSLOW,

Plaintiff,

v.

Civil Action No. 3:08CV184

GENE M. JOHNSON, et al.,

Defendants.

## ORDER

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

- 1) Claims 2(D) and 2(G) of the amended complaint are DISMISSED;
- 2) The Report and Recommendation is ACCEPTED AND ADOPTED;
- 3) Claims 1-2, 3, 4(A), 4(C), and 5-7 of the amended complaint are DISMISSED pursuant to the Report and Recommendation;
  - 4) Claim 4(B) shall proceed;
- 5) Plaintiff has one hundred and twenty (120) days from the date of entry hereof to serve Defendant A.R. Meredith. See Fed. R. Civ. P. 4(m);
- 6) It ultimately remains Plaintiff's responsibility to complete service of process. If Plaintiff wishes the assistance of the Court and the United States Marshals Service, he must Promptly notify the Court and provide an address for service on Defendant Meredith; and,
- 7) Rule 7(E) of the Local Rules for the United States District Court for the Eastern District of Virginia shall not apply to this action.

The Clerk is DIRECTED to send a copy of the Order, along with the accompanying Memorandum Opinion, to Plaintiff.

And it is so ORDERED.

/s/

Richard L. Williams
United States District Judge

Date: MAK 1 8 2009 Richmond, Virginia