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

ANDRE WHITFIELD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:12CV481–HEH
	)	
CHUCK ROSENBERG,	)	
	)	
Defendant.	)	

ORDER
(Dismissing Civil Action With Prejudice)

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

1. The Report and Recommendation is ACCEPTED AND ADOPTED;
2. The action is DISMISSED WITH PREJUDICE;
3. Whitfield's Motion to Request Service by the Marshal (ECF No. 12) is DENIED; and,
4. The Clerk is DIRECTED to note the disposition of the action for purposes of 28 U.S.C. § 1915(g).

Should Whitfield desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within sixty (60) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the ability to appeal.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion and Order to Whitfield.

And it is SO ORDERED.

/s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE

Date: Aug. 26, 2013
Richmond, Virginia