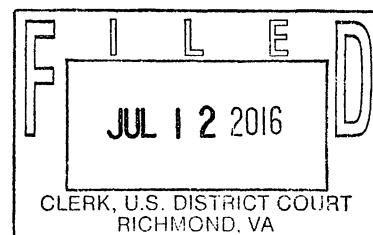


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



JAMES HENRY BROWN,

Petitioner,

v.

Civil Action No. 3:15CV510

LESLIE J. FLEMING,

Respondent

**FINAL ORDER**

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

1. The Report and Recommendation is accepted and adopted;
2. The Motion to Dismiss (ECF No. 16) is granted;
3. The § 2254 Petition is denied; and
4. The action are DISMISSED.

Should Brown desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

The Clerk is directed to send the Memorandum Opinion and Final Order to Brown and counsel of record.

It is so ORDERED.

/s/ *REP*

Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: July 11, 2016