

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

SHERRY L. KEITH,

Plaintiff,

v.

**COMMONWEALTH OF
VIRGINIA DEPARTMENT OF
CORRECTIONS, ET AL.,**

Defendants.

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Case No. 1:10CV00003

ORDER

By: James P. Jones
United States District Judge

No objections having been filed to the Report and Recommendation of the magistrate judge of November 4, 2010 (ECF No. 42), it is **ORDERED** as follows:

1. The findings and recommendations of the magistrate judge are
ACCEPTED;
2. The Motion to Dismiss for Lack of Prosecution (ECF No. 30) is
GRANTED;
3. The plaintiff's action against the Commonwealth of Virginia
Department of Corrections is DISMISSED with prejudice; and
4. No further claims remaining, the Clerk is directed to close the case.

ENTER: December 6, 2010

/s/ JAMES P. JONES
United States District Judge