

OCT 30 2012

JULIA C. DADLEY, CLERK  
BY:   
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION

HERMAN RALPH ADKINS,

Plaintiff,

v.

WOODROW MCGLOTHLIN,

Defendant.

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Civil Action No. 1:11cv00087

By: Michael F. Urbanski  
United States District Judge

**ORDER**

In accordance with the Memorandum Opinion entered this date, it is hereby **ORDERED** that the Report and Recommendation entered by the Magistrate Judge is adopted in its entirety; the motion to dismiss (Dkt. #30) filed by defendant Woodrow McGlothlin is **GRANTED**; and the motion for discovery (Dkt. # 33) filed by plaintiff Herman Ralph Adkins is **DENIED as moot**. This action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff and counsel of record for the defendant.

Entered: 10/29/2012

*Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge