

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

MILDRED OLIVER,

Plaintiff,

v.

VIRGINIA DEPARTMENT OF
CORRECTIONS, ET AL.,

Defendants.

CIVIL ACTION No. 3:09-cv-00056

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying memorandum opinion, defendants' motion for summary judgment (docket no. 14) on the ground that plaintiff failed to exhaust all available administrative remedies is hereby GRANTED, plaintiff's motion for summary judgment (docket no 21) is DENIED as MOOT, and defendants' cross-motion for summary judgment is DENIED as MOOT. Additionally, as noted in the accompanying memorandum opinion, plaintiff's motion to dismiss (docket no. 20) one of her claims without prejudice is GRANTED, and the parties' joint motion to supplement the record (docket no. 39) is GRANTED. Any other pending motions are DENIED as MOOT, and the case is STRICKEN from the court's active docket.*

The Clerk of the Court is directed to send a certified copy of this order and the accompanying memorandum opinion to all counsel of record.

It is so ORDERED.

Entered this 6th day of April, 2010.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE

* Given that the facts and legal contentions are adequately presented in the material before me, oral argument would not aid the decisional process, and the hearing scheduled for April 8, 2010, is canceled.