

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

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

OCT 12 2005

JOHN F. CORCORAN, CLERK
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DARRYL S. HARRIS ,)
Petitioner,)
)
v.)
)
GENE JOHNSON, DIRECTOR,)
Respondent.)

Civil Action No. 7:05-cv-00615

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, shall be and hereby is **DISMISSED** without prejudice for failure to exhaust state court remedies, and the action is stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 7th day of October, 2005.

James C. Turk

Senior United States District Judge