

CLERK'S OFFICE U.S. DIST. COURT  
 AT ROANOKE, VA  
 FILED  
 JUL 31 2007  
 JOHN F. CORCORAN, CLERK  
 BY: *[Signature]*  
 DEPUTY CLERK

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

**SAMUEL MORRIS OVERSTREET,**  
**Petitioner,**

**Civil Action No. 7:07-cv-00365  
 FINAL ORDER**

v.

**UNITED STATES OF AMERICA,**  
**Respondent.**

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

For the reasons stated in the accompanying memorandum opinion, it is hereby

**ORDERED**

that the above referenced motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, shall be and hereby is **DISMISSED** without prejudice as successive and the case is hereby stricken from the active docket.

ENTER: This 31<sup>st</sup> day of July, 2007.

*James C. Turk*  
 Senior United States District Judge