

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

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
SEP 13 2007
JOHN F. CORCORAN, CLERK
BY: *J. Bragg*
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JODY EUGENE CLEMENTS,)
Plaintiff,) Civil Action No. 7:07-cv-00425
)
v.) FINAL ORDER
)
JUDGE FRANK W.)
SOMMERVILLE,)
Defendants.) By: Hon. Glen E. Conrad
) United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the above referenced civil action, construed by the court as a petition for habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **FILED in forma pauperis**, but that the action is hereby **DISMISSED** without prejudice, pursuant to Rule 4 of the Rules Governing § 2254 Proceedings, and that the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 10th day of September, 2007.

Glen E. Conrad

United States District Judge